Commentary
February 2002

How to Win World War IV
Norman Podhoretz

The Return of Anti-Semitism
Hillel Halkin

Judging Richard Posner
Gertrude Himmelfarb

Can Terrorists Get the Bomb?
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Why Ashcroft Is Wrong on Assisted Suicide
Nelson Lund

The Great American Songbook: A Critical Guide
Terry Teachout

CONTROVERSY

Counterterrorism Before September 11
Gabriel Schoenfeld & Critics

Books in Review

Dan Seligman • Damon Linker • Vincent Carroll
Noemie Emery • Kevin Shapiro

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Through the Cleveland Scholarship Program, Eulanda Johnson chose a school for her daughter, Ebony.

School Choice Unites

A clear theme emerges in new public statements and legal briefs filed with the Supreme Court regarding Cleveland's educational choice program for low-income parents.

Distinguished individuals, with views covering a very broad spectrum, decisively agree that the Cleveland program is constitutional. They are, indeed, clearly *united* on this point. Here are examples:

• Democratic Milwaukee Mayor **John Norquist** and Republican New York Mayor **Rudolph Guiliani**.

• **Charles Fried**, a Harvard University law professor and former U.S. Solicitor General in the Reagan Administration, and **Walter Dellinger**, U.S. Solicitor General in the Clinton Administration. The current U.S. Solicitor General, **Theodore Olson**, also supports the Cleveland program's legality.

Parental School Choice is Widespread — Unless You're Poor.

• **Jesse Choper**, a renowned Constitutional scholar and former dean of the University of California-Berkeley Law School. Choper's filing was signed by thirty-seven law school professors whose views span a broad spectrum. These legal scholars are from twenty-three law schools, including Michigan, Harvard, Notre Dame, and Wake Forest.

• Democratic Florida Attorney General **Robert Butterworth** and Republican Florida Governor **Jeb Bush**.

• Democrat **Kurt Schmoke**, the first African American mayor of Baltimore, and **C. Boyden Gray**, legal counsel to former Republican President George Bush.

• The Black Alliance for Educational Options (BAEO), a non-partisan group whose board includes current and former elected officials and educators of differing political persuasions. BAEO is chaired by **Howard Fuller**, former superintendent of the Milwaukee Public Schools and now a Distinguished Professor of Education at Marquette University.

Mayors Guiliani and Norquist assert that in the pending Cleveland case the Supreme Court "will decide whether states, by injecting choice and competition into urban K-12 education, can [succeed] in adequately educating most city children, an outcome America's cities desperately need in order to thrive again."

Harvard's Fried joined a brief filed by the Institute for Justice, a public interest law firm representing Cleveland parents in the case. They argue that the Cleveland program's "primary effect" is not to advance religion but rather reflects "good-faith efforts directed toward the constitutional imperative of extending educational opportunities to children who need them desperately." Professor Choper agrees, stating in his brief that Cleveland's program should be viewed not as "an endorsement of religion, but rather as an effort to ensure that all children who live in Ohio receive an adequate education."

Educational equity was a theme stressed in briefs filed by BAEO and Schmoke and Gray. As the filing by Schmoke and Gray says, "School choice programs help to equalize educational opportunity by giving poor parents...choices that families of greater means take for granted."

In total, more than two dozen briefs supporting the Cleveland program's constitutionality have been filed. Clearly, school choice has united people who often find themselves on very different sides of other policy issues.

baeo
Black Alliance for Educational Options

For more information go to: schoolchoiceinfo.org or baeo.org

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American Jewish Committee
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Commentary
February 2002

Letters from Readers

Islam Here

To the Editor:

In "The Danger Within: Militant Islam in America" [November 2001], Daniel Pipes accuses me and others of working to bring an Islamic revolution to the U.S. and thus of being no better than persons like Sheikh Omar Abdel Rahman, who is suffering a life sentence for no wrongdoing of his own but because of the Jewish lobby's prejudices against Islam and Muslims.

Mr. Pipes thinks that he and his Jewish community are the sole proprietors of the U.S. and that the rest of the country are the "goyim," with no right to exist on this earth. He forgets that every citizen of the U.S. has equal rights, whether he is a Jew, a Christian, or a Muslim.

From the outset, Mr. Pipes takes Islam to be a "militant" religion that, when established somewhere in this world, brings forth nothing but tyranny, oppression, and a closed theocratic state. This idea is a creation of his imagination and reflects his ignorance of Islam and its history. He makes a great hue and cry about the Islamic system of life without even offering a comparative study of capitalism, liberal democracy, and Islam, pinpointing the superiority of one over the other. That is the least that one should expect from a learned scholar.

Mr. Pipes forgets that Abraham, Moses, Jesus, and Muhammad were all prophets of Islam. Islam is the common heritage of the Judeo-Christian-Muslim community of America, and establishing the kingdom of God on earth is the joint responsibility of all three Abrahamic faiths. Islam was the *din* (faith, way of life) of both Jews and Christians, who later lost it through human innovations. Now the Muslims want to remind their Jewish and Christian brothers and sisters of their original *din*. These are the facts of history.

The Islamic system of life is the supreme need of our time. Human problems grow by leaps and bounds. There is no peace anywhere in this world. The fundamental needs of man—food, drinking water, shelter, basic education, medicine—lie unattended, especially among the downtrodden. The rich are getting richer and the poor are getting poorer day by day. Human rights are only for the privileged people of liberal societies; they are denied to the vast societies of Asia, Africa, Europe, and America. Communism, capitalism, and the liberal democracies of the world, despite their tall claims, have failed to resolve any of these human problems. Rather, they have become an instrument in augmenting them.

These man-made systems have filled the earth with greed, exploitation, and immoral ways that are unacceptable to Abrahamic norms. Why do scholars like Daniel Pipes prefer to prolong the game of subjugation, the remote-control modern slavery that operates through international financial institutions, the World Trade Organization, multinational corporations, and NGO's (nongovernmental organizations)? The time has come to end this proxy game of socio-economic-political domination of the fortunate few over the unfortunate billions.

In the present context, Islam is the only alternative left; all the secular systems have failed mankind. But how and when will this alternative become available? It will come into existence through the long, peaceful process that I have discussed in detail in my books—the books now being misinterpreted by Mr. Pipes to suit his jihad against Islam and the Muslims of America.

Mr. Pipes has given a totally wrong interpretation of the tragic episode of September 11. In order to mislead the American people, and to keep them from

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pointing their finger toward the Jewish lobby of America and the Jewish state of Israel, he unashamedly accuses Muslims and Islam. He has used accusatory language without any proof.

I would like to remove the misgivings Mr. Pipes has created in readers' minds and give an idea of how peacefully the establishment of the kingdom of God could proceed and progress.

Islam invites people to accept the authority of their Creator and Sustainer, to feel accountable to Him on judgment day, to follow the pattern of life demonstrated by the Prophet Muhammad. It is a matter of free will, not of coercion and compulsion. If individuals freely choose to change themselves, who can stop them? It may take decades, if not centuries, to build a benevolent human society based on Abrahamic faith. Why should people like Mr. Pipes feel averse to it?

The fundamental values of the United States—individual human rights, family, democracy, religious tolerance, social and economic justice, the free market—coincide, more or less, with those of Islam. The American people, by their own free choice, may prefer one day to transform themselves and be obedient to the will of God. It would be a turning point in the history of America. The entire world, especially the have-nots, would love America, and Uncle Sam would be greeted everywhere with open arms.

This is the process through which the U.S. can repair its tarnished image: that of a nation with a double standard, one for the rich and one for the poor; a nation that stands for human rights but supports undemocratic regimes throughout the world for the sake of political and economic expedience; a nation that correctly and justifiably condemns terrorism but connives with the state terrorism of its close allies; a nation that loves freedom and liberty but remains silent when oppressed people fight to escape their subjugation.

The list is quite long and painful to elaborate. The establishment of the kingdom of God on earth is the only way to correct the situation. In its wake, when the U.S. delivers justice to suffering humanity, terrorism will die its own death.

SHAMIM A. SIDDIQI
Flushing, New York

TO THE EDITOR:

Given the ongoing and very real threat to our physical safety posed by Islamic terrorists, I found it strange that Daniel Pipes would devote the bulk of his article to the quite unrealistic hopes of a few Muslim leaders to convert a majority of our population to Islam, and to establish it as our official state religion, with the codes of *shari'a* governing our legal process.

All evangelical sects—from Christian churches to the Scientologists and the "Moonies"—harbor dreams of eventual universality. But Muslims today comprise just 1 to 2 percent of America's population, and are largely confined to America's blacks. Many of them belong to the Nation of Islam, which does not follow any legitimate version of Islam, preaching instead a doctrine that is a mishmash of UFO-ology and racism. I suspect that a Mormon America is far more likely than a Muslim America.

RON UNZ
Palo Alto, California

TO THE EDITOR:

Daniel Pipes's excellent piece should be read by every elected official and law-enforcement officer. But Mr. Pipes underestimates the role of violence in the plans of Islamic extremists to seize the American government.

Consider the chilling words of Wadih Hage, one of the Islamic terrorists who bombed American embassies in Africa in 1998, killing 224 people and wounding 4,600 others. At his sentencing to life imprisonment in federal court in New York on October 18, 2001, Hage, a naturalized American citizen and former personal secretary to Osama bin Laden, remarked (as paraphrased by the *Washington Post*): "On this soil . . . he and his fellow fundamentalist Muslims had been free to plan for an even more perfect nation; a theocratic state run by Allah's law, such as Afghanistan's Taliban regime."

Even after September 11, a veil of secrecy still conceals the finances and nonreligious activities of Islamist mosques across the United States—mosques that raise tens of thousands of dollars every week. With the proclaimed intention of overthrowing the U.S. government, extremists are not using these funds, one assumes, to promote religious understanding.

By now we know that we are being subjected to a massive campaign of deception in which many Muslim leaders speak publicly in English about tolerance and peace, and in Arabic among themselves about how to kill more Americans and usurp our government.

LESLIE D. SIMON
Woodrow Wilson Center
Washington, D.C.

TO THE EDITOR:

Are the violent and nonviolent ways of making the U.S. an Islamic country as distinct as (the indispensable) Daniel Pipes suggests? Has anything in American history done as much for Islam as the suicide hijackings of September 11? Large numbers of Americans, thanks to the strenuous efforts of civil libertarians and universities, now believe that it is Islam itself and not the thousands of people massacred by Islamists that is the aggrieved party.

The savagery of Islamic fascism has not yet effected a mass conversion of Americans to its ranks, but it has certainly had a terrific first inning.

EDWARD ALEXANDER
Seattle, Washington

TO THE EDITOR:

Daniel Pipes makes points that the United Kingdom might well take to heart. His description of the Islamists' goal is in perfect accord with their core doctrine as described by the scholar Bernard Lewis: Islam divides the world into the *dar al-Islam* (house of Islam), where the faithful live, and the *dar al-Harb* (house of war), inhabited by the infidels. These "houses" are in a permanent state of war interrupted only by temporary tactical truces, and this conflict will not cease until the whole world is brought into the *dar al-Islam*, where members of other faiths will be tolerated only as second-class citizens.

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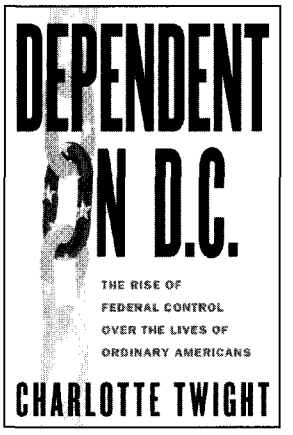

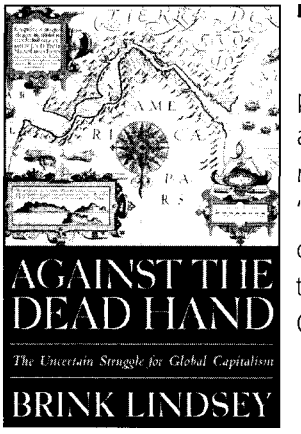

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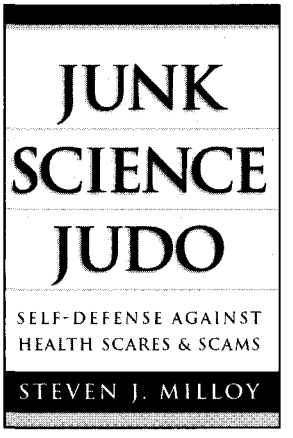

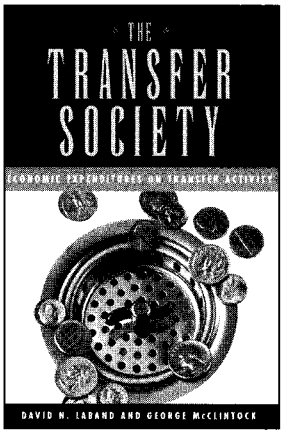

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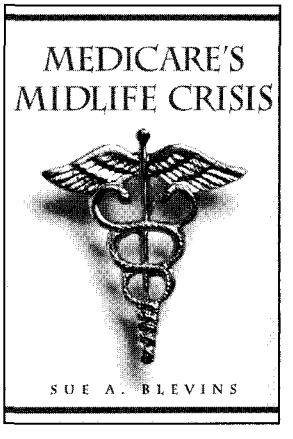

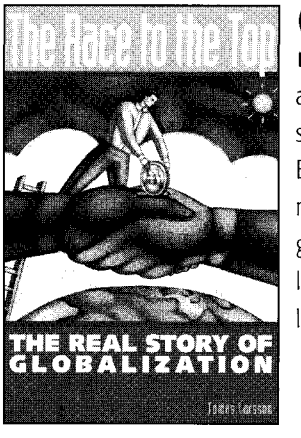

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In Britain the authorities constantly protest that we are not at war with Islam but with "terrorism," which apparently exists in some sort of limbo, populated by "extremists" who have nothing to do with religion. Rabid Islamists like Omar Bakri Mohammed, leader of al-Mouhajiroun (an organization that, among other activities, recruited young British Muslims to fight for the Taliban), are given generous and not always unfriendly exposure on British television, and are tolerated even when their activities and statements present a clear case of treason. Meanwhile, writers like the novelist Fay Weldon who publish critical comments about Islam are accused of "Islamophobia." And Muslim pressure groups agitate for protection against such criticism under the government's proposed bill to "ban religious hatred," effectively criminalizing criticism of Islam.

HERB GREER
Manchester, England

DANIEL PIPES writes:

That Shamim A. Siddiqi reads COMMENTARY is excellent news. But he does not, I fear, read it very closely. Nowhere in my article did I say the many things he ascribes to me—not about the Jewish community being "the sole proprietors" of the United States, not about non-Jews being "goyim," much less about non-Jews having "no right to exist on this earth." These colorful notions suggest that Mr. Siddiqi, whatever his strengths as a strategist of militant Islam's ascension to power, is not much of an analyst of American politics.

Nowhere in the course of Mr. Siddiqi's extended rant (on my ignorance of Islam and its history, the failure of capitalism, the World Trade Organization's "remote-control modern slavery," the alleged Judeo-Christian-Muslim heritage of America, and the "supreme need" for the Islamic system of life) does he take issue with the main point of my article—that he wants to see a United States made Muslim. To the contrary, he dutifully confirms it several times, as when he expresses a hope that the American people will one day "transform themselves and be obedient to the will of God."

Yet Mr. Siddiqi vehemently protests my presentation of his argument. Why? According to him, he sees the Islamization of America happening through a "long, peaceful process," whereas I use "accusatory language without any proof" to suggest otherwise. Hardly: my article emphasizes precisely Mr. Siddiqi's point—that he envisages Islam peacefully taking over. So why the outrage? Could it be that his schema is intended for certain eyes only, and that I made it public to an audience likely to be less enthusiastic about an Islamic Republic of America?

Ron Unz and I see the long-term danger differently. To me, the current wave of militant Islamic violence against the United States, however dangerous, is ultimately less consequential than the non-violent effort to transform it through immigration, natural reproduction, and conversion. It surprises me that Mr. Unz would find Islamists to be no greater a force than Christian churches, Mormons, Scientologists, and "Moonies." Had Christians wanted the United States to be a Christian country, it would be one; that is one ambition that plainly does not exist. As for Mormons, Scientologists, and members of the Reverend Moon's Unification Church, it should suffice to point out that there are some 50 self-identifying Muslim states in the world, but not one that is under Mormon, Scientologist, or Unification Church control. Finally, most Muslims in this country are not blacks, and most African-American converts to Islam adhere to normative Islam, not to the Nation of Islam.

I thank Leslie D. Simon for his kind words. The threat represented by figures like Wadih Hage is indeed a real one, but they are being and will continue to be cracked down on. To put it differently, the United States is better prepared today to deal with criminal conspiracies than with cultural threats.

Edward Alexander is right that September 11 has probably had two very different effects on the Western perception of Islam: while the large majority of Westerners are appalled by the violence of militant Islam, a tiny but significant minority have been newly attracted to the religion of Islam. Some imams in the United States have claimed a quadrupling of the rate of conversion. According to the Middle East Media and Research Institute, "Since September 11, 2001, many articles and reports have appeared in the Arabic press claiming Muslim proselytizing (*da'wa*) in the U.S. has seen an upsurge in Americans' converting." Osama bin Laden himself, in the notorious home tape of his musings released on December 13, noted this trend in two countries, one of them the United States, with evident satisfaction: "In Holland, at one of the centers, the number of people who accepted Islam during the days that followed the operations were more than the people who accepted Islam in the last eleven years. I heard someone on Islamic radio who owns a school in America say: 'We don't have time to keep up with the demands of those who are asking about Islamic books to learn about Islam.'" In Great Britain, according to the *Sunday Telegraph*, the September 11 attacks have "swelled the numbers" of converts to Islam.

True, the deputy prime minister of the Netherlands denied bin Laden's claim, saying that "there has been a significant increase in interest in Islam but this does not mean that we [Dutch] all want to be Muslim. Bin Laden is drawing self-serving conclusions, and there is no truth to his comments." This repudiation notwithstanding, I am inclined to agree with bin Laden's version: in my observation, exposure to Islam—even an Islam presented negatively—does win it new converts.

Herb Greer is correct to point out that the militant Islamic agenda is far more advanced in the United Kingdom than here. England is a country where Islamist spokesmen threaten to assassinate not only novelists (Salman Rushdie) but even the prime minister (Tony Blair), and where it was not just an eccentric John Walker who went off to fight for the Taliban but dozens, if not hundreds, of young men who went to

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ROBERT SOLOMON, Ph.D., is the Quincy Lee Centennial Professor of Philosophy at the University of Texas, where he has taught since 1972. A recipient of both the Standard Oil Outstanding Teaching Award and the President's Associates Teaching Award, he is the author of more than a dozen books in philosophy and psychology, including *About Love* (1988), *The Passions* (1976, 1993), *From Hegel to Existentialism* (1988), and *Ethics and Excellence* (1992).

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Afghanistan in an organized way to battle their co-nationals. In a leading British newspaper (the *Observer*), one could also find a prominent Islamic figure openly announcing that "We will remodel this country in an Islamic image" and "We will replace the Bible with the Qur'an."

Indeed, Americans curious about what an emboldened militant Islam can mean for a Western country might look to northwestern Europe for enlightenment. As for Mr. Greer's excellent point about the reluctance of British (and American) authorities to mention who the "terrorists" and "extremists" are, this was precisely the starting place for my article in last month's COMMENTARY, "Who Is the Enemy?"

Oppenheimer

TO THE EDITOR:

In his review of Edward Teller's autobiography [Books in Review, November 2001], Dan Seligman expresses what has become a common misjudgment among conservatives: that the Atomic Energy Commission (AEC) was right to conclude that J. Robert Oppenheimer was a security risk and to revoke his security clearance in 1954.

In 1959, while working as a young lawyer for the AEC, I read the 1,000-page transcript of the Oppenheimer hearings. What struck me most was a part of Oppenheimer's story that is ignored by those who condemn him—his record of active anti-Communist initiatives in the postwar period.

Because Oppenheimer believed that it was important to maintain the momentum of the U.S. atomic-weapons program, he supported the initial proposal for an atomic-energy authority, even though that proposal was opposed by most nuclear scientists as too militaristic. In addition, after the death of Bernard Baruch, the original U.S. negotiator for atomic disarmament, Oppenheimer flew across the country at his own expense to warn Baruch's successor against making an arms-control agreement with the Soviet Union. Oppenheimer was afraid that the Russians would not fulfill their commitments and that the treaty could not be effectively enforced.

Finally, Oppenheimer supported a strong defense policy against the Soviet Union at a time when many atomic scientists, and many others with no sympathy for the Soviet Union, were still unrealistic about the need for U.S. defense. Much has been made of Oppenheimer's opposition to the hydrogen bomb. But when the design by Teller and Stanislaw Ulam made the H-bomb practical, Oppenheimer became a supporter. It was clear that his opposition had depended on practical rather than ideological objections.

Whatever sympathy for Communism Oppenheimer had had in the 1930's, whatever security breaches he may have committed during the war, and whatever the Communists said about him in their coded messages, the more direct evidence indicates that in 1954 Oppenheimer was strongly loyal to the U.S. and firmly committed to the struggle against the Soviet Union. His security clearance should not have been taken away. He made great contributions to the right side and deserves to be honored.

MAX SINGER
Chevy Chase, Maryland

DAN SELIGMAN writes:

I have always respected Max Singer's opinions, and I instantly concede that his 1,000-page immersion in the transcript exceeds my own research into the Oppenheimer hearings. But I do not believe that he has seriously dented the case made by the AEC's personnel security board for revoking the security clearance.

The board's majority report persuasively documents a more complex and nuanced political transition by Oppenheimer than is suggested by a scenario according to which he simply abandoned his Communist sympathies and became an anti-Communist after the 1930's. Although he was clearly drifting away from the party, he was still involved, at least socially, with known Soviet agents like Steve Nelson in the early 1940's, and it was not until 1946 that he withdrew from the Independent Citizens Committee for the Arts, Sciences, and Professions, a notorious Communist front. And, of course, he admittedly lied more than once to security representatives about his contacts with Soviet agents.

In his 1954 testimony before Congress, Oppenheimer also admitted that he was still a friend of Haakon Chevalier, the man who had approached him in 1943 in an effort to secure classified research data for the Soviets. As the majority report observed of this: "Loyalty to one's friends is one of the noblest of qualities. Being loyal to one's friends above reasonable obligations to the country and to the security system, however, is not clearly consistent with the interests of security." It is important to remember in this context that the security board did not in the end question Oppenheimer's loyalty to the United States—only his erratic judgment.

Incidentally, it is far from clear that Oppenheimer's objection to developing the hydrogen bomb in the late 1940's depended only on doubts about its feasibility. As of 1949 he did express such doubts, but also registered resistance on moral and political grounds. In any case, he had *supported* work on the hydrogen bomb in the early 1940's, when its successful development was far more problematical than it became after the atomic bomb was created. It is hard to stifle the thought that he wanted the weapon when it could have been used against Hitler or the Japanese but shrank from its development when it might threaten Stalin.

Ready to Die

TO THE EDITOR:

Thank you for Hillel Halkin's thoughtful review of my book, *At the Entrance to the Garden of Eden: A Jew's Search for God with Christians and Muslims in the Holy Land* [Books in Review, November 2001].

But on one point, at least, he should have read more attentively. Mr. Halkin faults me for not acknowledging

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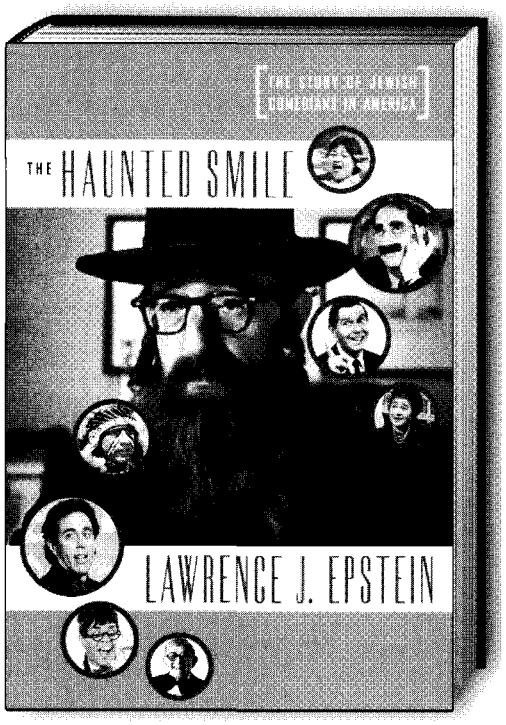
A history of comedy... and one of hatred



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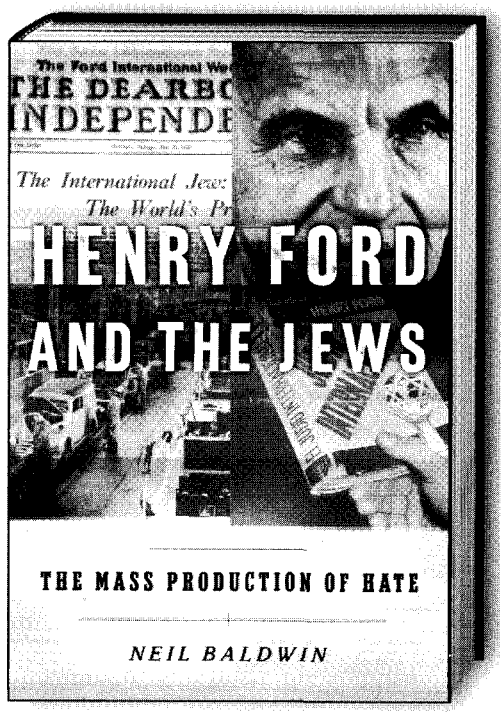

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that Islam's fearlessness of death is responsible for the suicide bombings. In fact, in a passage about a sheikh who came to Jerusalem from Cairo seeking reconciliation with Israeli Jews, I wrote the following:

> [The sheikh] came without an entourage, without protection, speaking in the name of God alone. Islam had a genius for fearlessness; the dark side was the suicide bombers. But here was another expression of Muslim contempt for death, a sheikh ready to die for peace with the Jews.

YOSSI KLEIN HALEVI
Jerusalem, Israel

HILLEL HALKIN writes:

I am happy to acknowledge my oversight. I would be even happier, though, if Yossi Klein Halevi had devoted more than a single brief phrase to what has become, since the writing of his book, a major problem for the world.

Demonizing Israel

TO THE EDITOR:

I attended the nongovernmental-organization (NGO) section of the UN World Conference Against Racism and agree entirely with Arch Puddington's analysis of its disgraceful proceedings ["The Wages of Durban," November 2001]. South Africa, where the conference was held, has become a launching pad for a new phase of the propaganda assault on Israel. What better place than South Africa to try to stigmatize Israel as the last remaining apartheid state? The ruling party is sympathetic to these efforts, and there is a significant and militant local Muslim population.

I was hugely disturbed by the failure of Jewish groups to provide counterpropaganda materials at the conference. True heroism was displayed by a small band of South African Jewish students who felt, as one of them put it, that it been left to them alone "to represent the Jewish world." The demonization displayed in Durban was hauntingly reminiscent of the 1930's, and unfortunately the Jewish response has been largely the same: "it will all blow over," "they don't really mean it," etc.

The scale and success of the propaganda operation at Durban should serve as a spur to prevent its replication in other parts of the world.

JACK BLOOM
Johannesburg, South Africa

Radicals

TO THE EDITOR:

Michael J. Lewis writes that "Williams has no great tradition of radical politics" ["War Comes to Williams," November 2001]. It is difficult to know exactly what would constitute "radical politics" for Mr. Lewis, but according to ordinary usage, he is wrong.

In the late 1930's and 40's, Williams had a number of teachers who situated themselves in the most militant segment of the New Deal—some of them scholars who had been denied tenure elsewhere on account of their views. The college's more prominent teachers included leftists like Max Lerner and Frederick Schuman. As a member of the class of 1946, I can attest that there were similar currents of opinion in the student body. Williams was not, of course, City College, but neither was it as ideologically isolated from the nation as Mr. Lewis supposes. As for Williams having once been "a provincial factory for the grooming of ministers," was not social Protestantism of the sort often found there an indispensable component of American radicalism?

Mr. Lewis's account of events at Williams after September 11 might have been improved had he actually attended the meeting he wrote about. That would not have been a concession to radicalism—just to intellectual scrupulousness.

NORMAN BIRNBAUM
Georgetown University Law Center
Washington, D.C.

MICHAEL J. LEWIS writes:

Although I argued that Williams does not have a strong radical tradition, I never said that it was lacking for leftist faculty. Their agenda-setting presence was, in fact, the subject of my essay.

Norman Birnbaum mentions Max Lerner. He might have noted that in the late 1950's Lerner became a belated but fervent cold warrior, who believed in the end that America was worth defending. I wonder how many of Lerner's latter-day counterparts believe the same thing. Certainly not all of them, to judge from their response to the events of last September.

As I stated in my article, I did attend the open public forum at Williams on September 25. There a professor stated that it would be a good thing when President Bush's inordinately high approval ratings began to go down, and "the sooner the better." Fortunately they did not, and three months later we can see just how essential this overwhelming public support was to the success of the Afghanistan campaign. A consequence of that success has been to take the wind out of the sails of anti-war activity on the Williams campus, at least for now.

Finally, Mr. Birnbaum is right to observe that social Protestantism is one of the wellsprings of American radicalism. It would have helped the cause of intellectual scrupulousness if he had also distinguished between the skeptical Unitarian strand that prevailed at Harvard and the stalwartly Congregationalist version at Williams.

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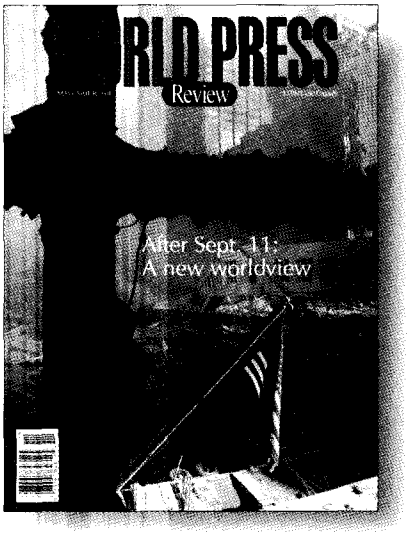

In the days following Sept. 11, there has been worldwide recognition that the course of history and the lives of hundreds of millions of individuals have been fundamentally altered by the terrorist attack on the United States. It has never been more important to have access to news and information from around the globe.

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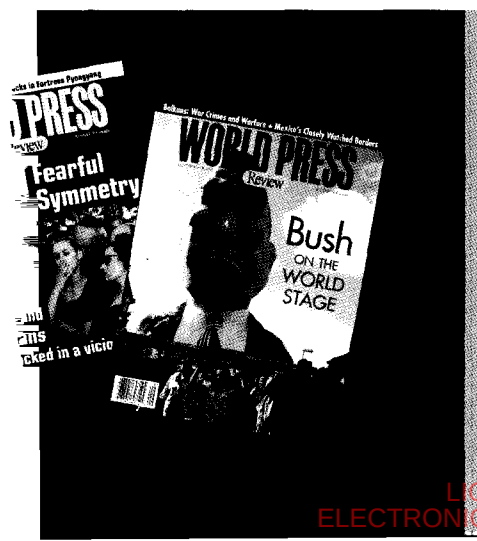

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CONTROVERSY

Counterterrorism Before September 11

Gabriel Schoenfeld & Critics

DANIEL PATRICK MOYNIHAN:

During the Reagan administration I was awarded the Seal Medallion of the Central Intelligence Agency. This is among its highest honors and was given, I assume, for eight years' service on the Senate Select Committee on Intelligence, the last four as vice chairman with Barry Goldwater as chairman.

This has mattered to me, and hence I was deeply troubled by Gabriel Schoenfeld's lead article ["Could September 11 Have Been Averted?"] in the December issue, which charges me with having introduced legislation that included what "might aptly be labeled the Free Admission for Terrorists clause."

The bill (never passed) was designed to put an end to the "lookout lists" for persons with "unacceptable opinions." These were a legacy of the McCarthy era, which no longer served our interests in any way. However, Section 203 of the bill provided that "an alien whose entry or proposed activities in the United States the Secretary of State has reasonable ground to believe would have a serious adverse foreign-policy consequences [*sic*] for the United States is *excludable*." The bill went further to state, "*Nothing in this title requires the admission* . . . of any alien believed to be a national-security threat to the United States " [emphasis added].

Mr. Schoenfeld defames me. As a friend of COMMENTARY, I am desolate.

The Woodrow Wilson Center
Washington, D.C.

PAUL R. PILLAR:

While I am flattered by the attention that Gabriel Schoenfeld gives to my book *Terrorism and U.S. Foreign Policy* and the favorable contrasts he makes with other supposed purveyors of "official thinking" on counterterrorism, some of what he extracts from the book misrepresents its message. A reader of Mr. Schoenfeld's article would be excused for mistakenly thinking that I espouse a viewpoint that is smugly content with past successes against terrorism, and coldly clinical in looking at terrorist attacks as no different from other causes of death.

A major theme of the book is that Americans have too often slid into complacency during periods in which terrorism has been out of the headlines, and that it is a mistake to believe that the passage of time without a major terrorist incident indicates the problem has lessened. It is all the more a mistake during an era in which, as the book discusses, international terrorism has become increasingly threatening in several respects: more anti-American, more lethal, and with a wider geographic reach, including the United States. That I considered counterterrorist policy, even before September 11, to be an appropriate subject for a book-length analysis—with numerous recommendations for making the policy better—speaks to my belief that previous success is not enough.

Another theme is that the significance of terrorism cannot be measured simply by comparing the number of casualties with other sources of death and injury (as some who downplayed terrorism before September 11 liked to do). One reason it cannot is that, as Mr. Schoenfeld correctly states, the slaughter of innocents for a political purpose is simply not morally and emotionally equivalent to other reasons our

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citizens die. Another reason is that terrorism has numerous indirect costs, including the costs of trying to protect against it.

It was in discussing those costs that I mentioned aviation security and the previous paucity of hijackings—a mention that was not, as Mr. Schoenfeld's context-less quotations might lead one to believe, a judgment about the adequacy of that security. Instead, it was an illustration of the point that even in the absence of terrorist attacks, we have spent major resources to try to prevent such attacks, and such expenditures must be counted among the indirect costs of terrorism. As I wrote on the same page from which Mr. Schoenfeld drew the quotes in question, "the very fact that so many resources are consumed—however necessary or unnecessary, effective or ineffective, any particular countermeasure may be—is itself a reason for the subject to command policy attention."

Mr. Schoenfeld expresses dislike for a couple of my analogies but does not mention or refute the points they are used to make. Counterterrorism is like many other issues of public policy, including highway safety, in that we must attack the problem by using every available tool, each of which has something to contribute but no one of which is sufficient by itself. In short, there is no silver bullet. Does Mr. Schoenfeld disagree? If so, what is his silver bullet?

Counterterrorism is also like public-health efforts against communicable diseases, not because deaths from disease are morally or psychologically equivalent to deaths from terrorism, which they are not, but instead in the sense that each subject involves a constantly changing array of threats. As one disease or terrorist group is vanquished, another emerges. Our current terrorist foes do not represent an end to the evolution and transformation of international terrorism.

I wish that a strong commitment to "victory" over terrorism, and actions that express that commitment forcefully, would eliminate the problem, as Mr. Schoenfeld suggests. But wishing it does not make it true, and believing it can have two unfortunate effects. One is a tendency to lash out with acts that show how strong our commitment is but may be ineffective, or even counterproductive, in saving lives from future terrorism (for example, military strikes that are made against targets not as suitable as those in Afghanistan and that may jeopardize the behind-the-scenes cooperation with foreign partners that is critical to dismantling terrorist infrastructures).

The other effect is to undermine the kind of public support that is most needed in fighting terrorism: sustained, long-term support, given without expectation that the need for it will end any time soon. The delusion that we can "win" a war against terrorism in general is an invitation to the nation, once it has achieved a victory of sorts over al Qaeda or whoever is the other foe of the moment, to slip back to the inattention that has too often characterized American attitudes toward terrorism.

Washington, D.C.

DAVID G. EPSTEIN:

I am in overall agreement with Gabriel Schoenfeld's reflections on terrorism. But the very last sentence of his essay, referring to a "victory" over terrorism, distresses me. I take it to mean that we should strive to replicate what we accomplished in World War II, and I do not see that as realistic or useful.

I spent thirteen years as chief of the training division in the Office of Anti-Terrorism Assistance at the Department of State. We worked with the security and police forces of over 60 countries that were experiencing some aspect of a terrorist threat, including Israel, Jordan, Greece, Egypt, Saudi Arabia, Spain, Argentina, Ecuador, and Pakistan. Our problems began with the ques-

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tionable competence of the official gun-bearers of some of these governments. Also not beyond doubt was their willingness and/or ability to get serious about countering bombings and assassinations. In some nations, the security services resorted to methods that our government found extremely difficult or impossible to support. In others, there was no possibility of reaching a political compromise or of negotiations with dissident elements, short of a willingness to destroy the national coherence of the state. Turkey and Spain, which still face secessionist movements, are but two examples. Israel is a third, for obviously different reasons. In Egypt, Jordan, and again Turkey, forces intent on halting the Westernization of public and private life are by no means averse to violence.

RUMORS of JUSTICE

TOM EAGAN

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As the major force behind Westernization in the world, or as an indispensable supporter of existing governments, the United States has become an enemy to many groups, some of which engage in terrorism. We cannot, and will not, send expeditionary forces to deal with each of these threats. In many cases, the indigenous police and military forces will remain unable to do the job themselves. What then?

The answer is that we need to climb down from that typical American conceit which propels us to believe that all military problems are solvable before Christmas. President Bush has certainly not encouraged us to believe that the struggle will be quick and easy. We must steel ourselves to the reality that we have no hope of total victory, nor do we have any choice except to continue the war.

San Diego, California

L. PAUL BREMER, III:

Gabriel Schoenfeld is right that the September 11 attacks represented a calamitous failure of intelligence and law enforcement, immigration and border control, and aviation security. As he notes, these failures grew out of a counterterrorist policy that had become progressively more risk-averse at precisely the time that dangers were increasing.

Our enemies learned from the Gulf war that America cannot be effectively attacked using conventional forces. So groups or states that hate us are tempted to use unconventional tactics. Terrorism is the quintessential form of unconventional warfare. This is why developing an effective counterterrorist strategy is fundamental to American national-security policy. Yet during the 1990's, the American government ignored the repeated warnings of analysts and terrorists themselves about "the changing threat of international terrorism." That is the title of the report to the President issued in June 2000 by the National Commission on Terrorism that I chaired. The report warned of the possibility of mass-casualty attacks on American soil, and we particularly singled out the threat of bioterror.

The proper goal of a counterterrorist strategy is to prevent attacks. To do this, you need to know about them ahead of time. Only a spy can tell you that, and therefore the key to success is good human intelligence. The single most important recommendation of our commission was to repeal the Clinton-imposed rules restricting the CIA's recruitment of terrorist spies. Regrettably, nothing was done about this issue until months after September 11. Astonishingly, the CIA was still defending these old rules as late as November.

Mr. Schoenfeld asserts that it is a mistake to consider terrorism largely a law-enforcement issue rather than a national-security issue. The commission agreed, and pointed to the meager results of the government's decade-long pursuit of the Pan Am 103 terrorists. And when the U.S. does resort to military action, it must be decisive, not the kind of pinprick responses that characterized the Clinton years. Lobbing a few cruise missiles revealed our weakness, not our resolve.

Could the September attacks have been avoided? Perhaps, if:

- the U.S. government had had better and more aggressive intelligence and law enforcement;
- we had established better controls over our borders;
- we had moved earlier to shut down the terrorist bases in Afghanistan; and
- our leaders had paid more attention to the real dangers of mass-casualty terrorism inside the United States.

All of these steps were recommended by the National Commission on Terrorism. Not a single one was acted on before September 11.

Washington, D.C.

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Gabriel Schoenfeld

Daniel Patrick Moynihan levels a very serious accusation, which I shall answer in due course. But I want to begin by thanking Paul R. Pillar for his letter and for the opportunity it affords to explore our differences more fully. I certainly did not mean to suggest—nor do I believe I did suggest—that Mr. Pillar was "smugly content" with past successes or "coldly clinical" about deaths from terrorist violence. Although I have my disagreements with him, and with his book, *Terrorism and U.S. Foreign Policy*, written while on sabbatical from the Counterterrorism Center of the CIA, I gave the book itself rather high marks.

It is true that I dislike Mr. Pillar's preferred metaphors for the campaign against terrorism, despite the qualifications he attaches to them. But my real quarrel with him is about the one "metaphor" he firmly opposes: namely, that of a war on terrorism.

"If counterterrorism is conceived as a war," Mr. Pillar writes in his book,

> it is a small step to conclude that in this war there is no substitute for victory and thus no room for compromise. The nature of terrorism and of how American public attention to it has evolved in recent years have made the topic prone to this simplistic pattern of thought. Americans . . . have had more reason to think of terrorism simply as an evil to be eradicated, rather than a more complex phenomenon with sides that may need to be reckoned with differently.

My own "simplistic pattern of thought" tells me that terrorism is inescapably an "evil to be eradicated." Indeed, in a world with weapons of mass destruction, the events of September 11 would seem to make its eradication an imperative for our survival. To me, the key question at this juncture is not whether but how best to accomplish that goal.

In his book, Mr. Pillar looks through the counterterrorism toolkit and shows that, as he writes in his letter, each of the tools "has something to contribute but no one . . . is sufficient by itself." If we are to have any hope of containing terrorism, he concludes, all the instruments must be used together. He also wonders what I would do differently and better. What is my "silver bullet"?

I do not have one. But the U.S. military does have a variety of silver bullets, including B-52 bombers, the U.S. Marine Corps, the Green Berets, Predator drones armed with Hellfire missiles, Navy SEALs, and so forth and so on. And this brings me to the subject on which I expressed my sharpest disagreement with Mr. Pillar, but about which he is now silent. I am referring to the use of armed force to strike preemptively against terrorists and the countries that harbor them, a policy option that in his book he unconditionally rules out as both "unlikely and unwise."

The long and the short of it is that before September 11, Mr. Pillar opposed not only the metaphor of a war against terrorism but the very idea of waging such a war. Yet it was our failure to embark on such a war, despite our certain knowledge that a half-dozen or more states were giving safe haven to terrorists, and despite an escalating series of attacks on our country by some of those selfsame terrorists, that brought us to catastrophe.

Can we defeat our adversaries in such a war? Both Mr. Pillar and David G. Epstein express serious doubts. Obviously, if one defines victory as eliminating all terrorism once and forever, they are correct. But I would settle for a more modest conception: we can declare a major (if not a final) victory when the U.S. government no longer has reason to compile lists of states that sponsor and give sanctuary to terrorists.

That day will arrive only if, as President Bush has urged, we "direct every resource at our command—every means of diplomacy, every tool of intelligence, every instrument of law enforcement, every financial influence, and every necessary weapon of war—to the disruption and to the defeat of the global terror network." In calling the idea of winning a war against terrorism a "delusion," Mr. Pillar, now a high-ranking official at the National Intelligence Council, seems to be at variance with his boss on this central point.

Needless to say, I agree with Mr. Pillar that declarations of victory come with a danger: after winning one or another significant battle, we might indeed "slip back to the inattention that has too often characterized American attitudes toward terrorism." This danger must be resisted; but it is hardly a reason not to fight and crush those who would destroy us.

Turning now to Ambassador L. Paul Bremer III, I thank him for expressing agreement with me on so many points (some of which I did not even make), but I regret that he does not respond to or even acknowledge the criticisms I leveled at the national commission that he chaired. Among other things, its report began with a declaration that "U.S. counterterrorism strategy is on the right track"—which is, to say the least, rather at odds with Ambassador Bremer's present statement that our counterterrorism policy was a "calamitous failure."

FINALLY, DID I misrepresent or distort the contents of the bill introduced by Daniel Patrick Moynihan? His particular charge is that, in pointing to a provision that I labeled a "Free Admission for Terrorists" clause, I failed to call attention to exceptions to that clause contained in the bill itself. Those exceptions, writes Senator Moynihan, would have granted the Secretary of State full discretion to keep out an undesirable alien if he had "reasonable ground" to fear "adverse foreign-policy consequences" or if he concluded that the alien posed a "national-security threat" to the United States.

I did indeed fail to mention those

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provisions—but not because I was unaware of them, and not because I was straining to present Senator Moynihan and his legislation in an unfavorable light, let alone a defamatory one. Rather, I declined to mention them because they are devoid of meaning and, in fact, self-nullifying. For the exceptions themselves contain exceptions that would effectively eliminate all of the government's discretion.

To help readers judge for themselves, here in their entirety are the relevant passages of Senator Moynihan's bill. Section 202 is the provision I cited in my article. Section 203 (i) and Section 204 are what he complains I omitted. Section 203 (ii) and the last few words of Section 204, both italicized here, are the two exceptions to the exception that he himself omits in his letter.

> SECTION 202. Within two years of the effective date of this Act the United States Government shall delete from any Lookout List the name of any alien and all information pertaining to such alien placed on such list because of any past, current, or expected beliefs, statements, or associations, if such beliefs, statements, or associations would be lawful within the United States.
>
> SECTION 203. Subsection (c) of United States Code, title 8, section 1182 is amended to read—
>
> (i) IN GENERAL—An alien whose entry or proposed activities in the United States the Secretary of State has reasonable ground to believe would have a serious adverse foreign-policy consequences [*sic*] for the United States is excludable.
>
> (ii) EXCEPTION—*An alien shall not be excludable or subject to restrictions or conditions on entry into the United States under clause (i) because of the alien's past, current, or expected beliefs, statements, or associations, if such beliefs, statements, or associations would be lawful within the United States.*
>
> SECTION 204. Nothing in this title requires the admission of or the deletion of any information pertaining to any alien believed to be a national-security threat to the United States or whose name was placed on any Lookout List *for a reason other than their past, current, or anticipated beliefs, statements, or associations.*

Taken in sum, what would these provisions have meant had they been enacted into law? Consider a hypothetical case, that of a Saudi Arabian citizen who had applied for a visa to enroll in a flight-training school in Florida and who was known to have stated publicly that he revered Osama bin Laden and all his works—but who had done nothing else to attract the attention of the U.S. government.

Because it is incontrovertibly lawful in *this* country to say that one reveres Osama bin Laden, if our hypothetical gentleman's name had been on a lookout list, the U.S. government, under this bill, would have been compelled to remove it, to expunge all information about him from it, and to admit him into the United States.

The exception to the exception, as outlined in Section 203 (ii), makes it plain that even the Secretary of State would have had no basis for barring entry to such a person, for he would have been forbidden to consider this gentleman's "past, current, or expected beliefs, statements, or associations, if such beliefs, statements, or associations would be lawful within the United States." The last eleven words of Section 204 repeat this same restriction on the government's discretionary authority.

In sum, I presented Senator Moynihan's legislation fairly and fully. More, I believe my criticism of this clause in his bill was entirely legitimate, and I am dumbfounded that he persists in calling lookout lists based upon "unacceptable opinions" a relic of the McCarthy era that "no longer served our interests in any way." Such lookout lists are a critical national-security tool, one that, as I see it, needs to be enhanced, not abolished.

Some opinions *are* unacceptable, and it is foolhardy if not outright suicidal to welcome those—men like Mohammed Atta and Zacarias Moussaoui—who propound them. The idea that what is lawful in our free and open society should be a benchmark for admitting strangers into our midst is both dangerous and absurd. Why Daniel Patrick Moynihan, a man with so many distinguished accomplishments to his name (and someone whose performance at the United Nations, some two-and-a-half decades ago, I admired enough to drop out of college to volunteer in his first campaign for the U.S. Senate), would be contesting this point even now, only months after our country suffered the most devastating terrorist attack in history, is to me a source of profound consternation and dismay.

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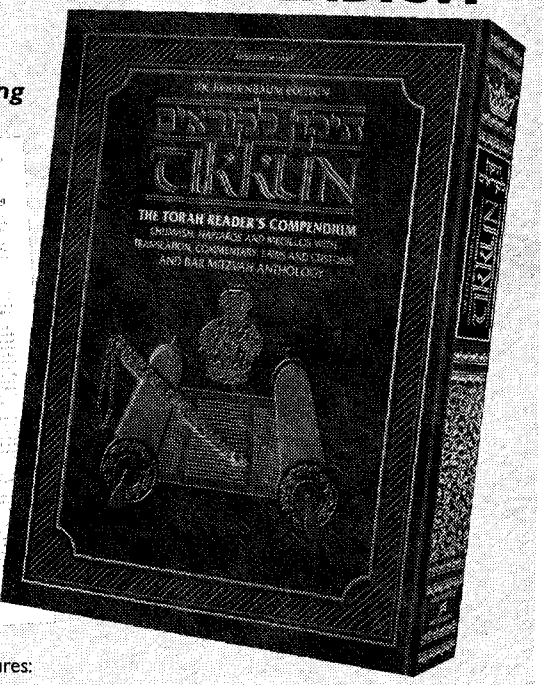
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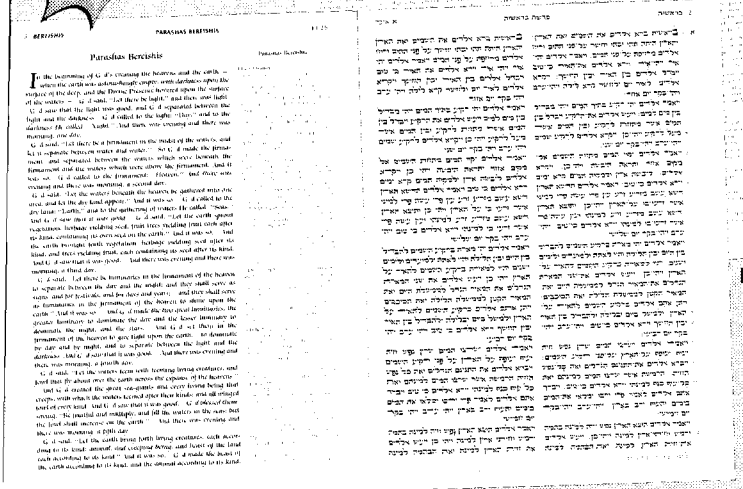

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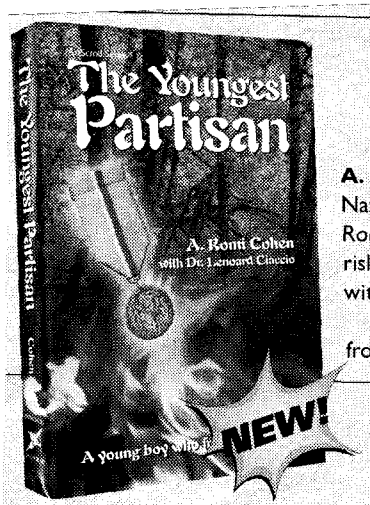

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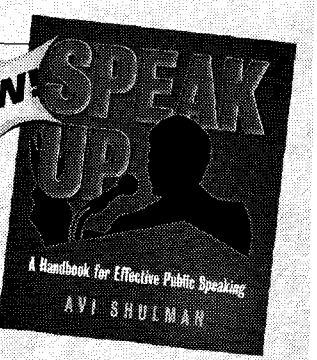

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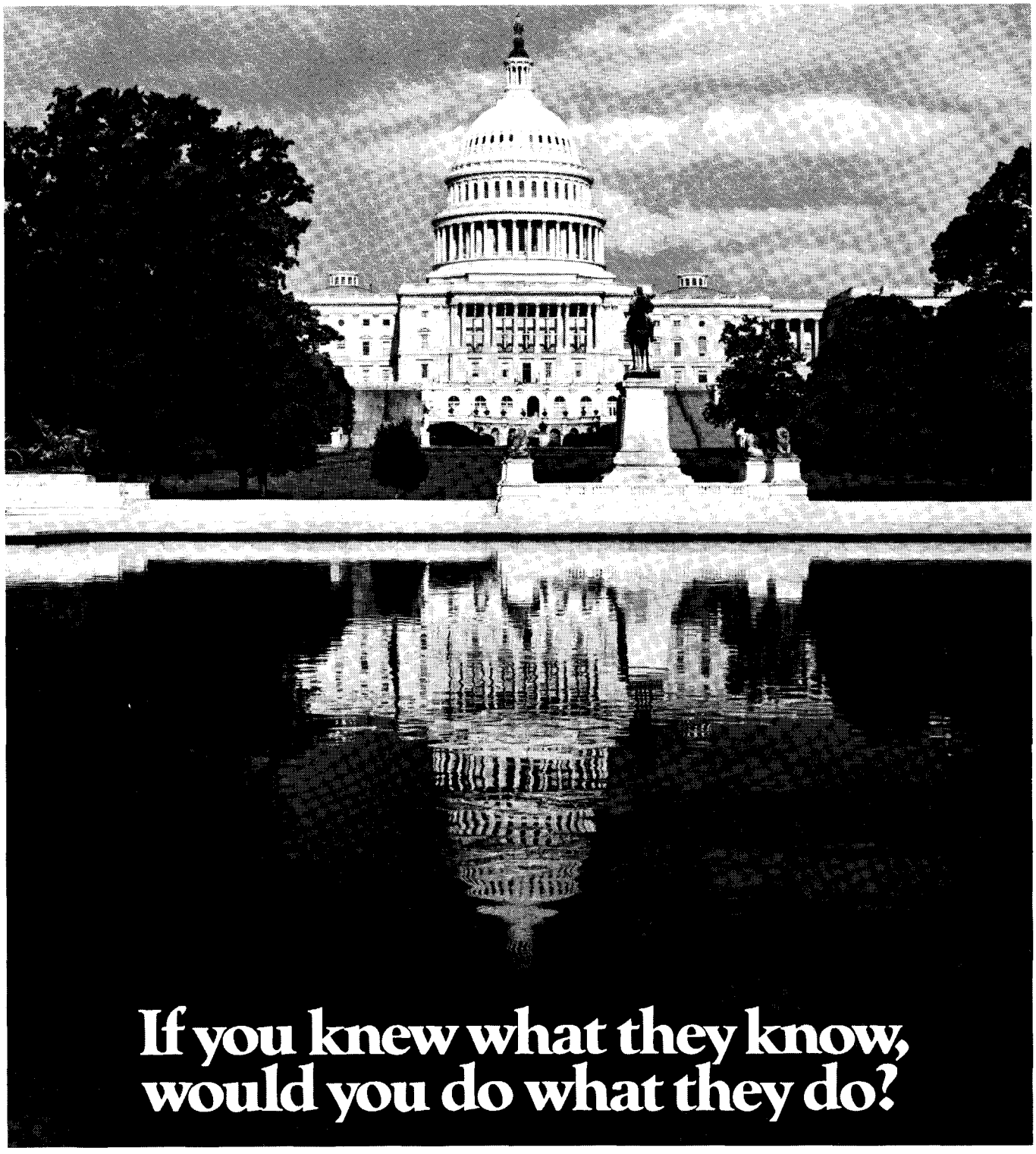

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How to Win World War IV

Norman Podhoretz

EVER SINCE the very beginning of the war into which the United States was violently hurled on September 11, efforts have been made to define its nature. The Bush administration, from the President on down, kept telling us that this would be a war unlike any other, but the very nearly self-evident truth of that proposition did not prevent an energetic search for analogies. On the contrary: when we first went into Afghanistan, and progress seemed slow, the ghost of conflicts past immediately materialized, each one croaking in menacing tones, "Remember me."

In a piece in the *Weekly Standard*, for example, I summoned up the Gulf war fought by the President's father ten years ago. At that time, I said, the broad coalition assembled by the United States, together with the imprimatur we had sought and acquired from the United Nations, resulted not in the consummation of a decisive victory but in an act of military and political coitus interruptus. Having driven Saddam Hussein out of Kuwait—which was all we had a "mandate" to do from our allies and the UN—we did not then push on to drive him out of Baghdad. Nor, in the event, did we even render him incapable of building the weapons of mass destruction he now possesses.

My worry was that the same kind of thing might happen now—and for much the same reason. I never doubted that, just as we had succeeded in the limited aim of rolling back Saddam Hussein's invasion of Kuwait, we would unseat the Taliban regime in Afghanistan and deprive the al Qaeda terrorists of their main sanctuary. What I feared was that then, succumbing again to the pressures of the coalition and the timorous counsels of Colin Powell (chairman of the Joint Chiefs of Staff under Bush I and Secretary of State under Bush II), we would declare victory and go home.

Others were not so confident that we would accomplish even that rather narrow objective. R.W. Apple of the *New York Times*, among others, was haunted by—what else?—Vietnam. To these observers, it seemed that we were once more falling victim to the illusion that we could rely on an incompetent local force to do the fighting on the ground while we supplied advice and air support, and that the inevitable failure of this strategy would suck us into the same "quagmire" into which we had been dragged in Vietnam. After all, the Soviet Union had suffered its own "Vietnam" in Afghanistan—and it had not been hampered, as we were, by the logistical problems of projecting power over a great distance. How could we expect to do better?

When, however, the B-52's and the 15,000-pound "Daisy Cutter" bombs[1] were unleashed (which many,

NORMAN PODHORETZ, *editor-at-large of* COMMENTARY *and a senior fellow at the Hudson Institute, is the author, most recently, of* My Love Affair with America *(Free Press).*

[1] We are instructed by *Aviation Week & Space Technology* that the proper name for these bombs is BLU-82, nicknamed "Big Blue," and that a daisy cutter is not a bomb at all but a type of fuse. Even so, the latter term, inaccurately applied to the bomb itself, has stuck, whereas the nickname never managed to enter popular discourse.

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including me, interpreted as a victory of Secretary of Defense Donald Rumsfeld over the incorrigibly cautious Colin Powell), the ghost of Vietnam was exorcised. Along with it went the skepticism about what air power could do, especially in a country that was supposedly too primitive to offer juicy targets.

But the Daisy Cutters were only the half of it. As we were to discover, our "smart-bomb" technology had advanced way beyond the stage it had reached in 1991, when it was first introduced. In Afghanistan, such bombs, guided by "spotters" on the ground using radios, laptops, and lasers, and unmanned satellite drones and other systems in the air, were both incredibly precise in avoiding civilian casualties and absolutely lethal in destroying military personnel. It was this "new kind of American power," the *New York Times* reported, that "enabled a ragtag opposition [i.e., the Northern Alliance] to rout the Taliban army."

As for the 15,000-pound Daisy Cutters, far from being good for nothing but "pounding the rubble," as critics of air power had derisively charged, they exerted a "terrifying psychological impact as they explode[d] just above ground, wiping out everything for hundreds of yards."

All this shook loose the "battle-hardened troops" of the Taliban regime in less than three months, and at the cost of only a handful of American casualties. Like the allegedly crack units of Saddam Hussein's Revolutionary Guard, which (against similar predictions to the contrary) we had sent fleeing with relative ease a decade earlier, the reputedly fearsome Taliban fighters, and Osama bin Laden's al Qaeda terrorists alongside them, emerged as the paper tiger that they had imagined us to have become.

BUT IT is important to recognize that bin Laden and his followers had good reason to arrive at this contemptuous assessment of our present condition. For a very long time, both before and after the Gulf war, the United States had been the target of terrorist attacks in the name of Islam or the Palestinian cause. (Sometimes, as with Hizbullah and Hamas, the two overlapped. But the religious card was often played even by the Palestine Liberation Organization—or PLO—and some of its constituent groups like the Popular Front for the Liberation of Palestine—or PFLP—that were more deeply rooted in Marx than in Muhammad.) Yet we had done virtually nothing in response to those attacks—or anyway nothing that might induce second thoughts or hesitations in those who were planning to undertake more such atrocities.

Thus, from 1970 to 1975, during the administrations of Richard Nixon and Gerald Ford, several American diplomats were murdered in Sudan and Lebanon while others were kidnapped. The perpetrators were all agents of one or another faction of the PLO. In Israel, too, many American citizens were killed by the PLO, though except for the rockets fired at our embassy and other American facilities in Beirut by the PFLP, these attacks were not directly aimed at the United States. In any case, there were no American military reprisals.

Our diplomats, then, were for some years already being murdered with impunity by Muslim terrorists when, in 1979, with Jimmy Carter now in the White House, Iranian students—with either the advance or subsequent blessing of the country's clerical ruler, Ayatollah Khomeini—broke into the American embassy in Tehran and seized 52 Americans as hostages. For a full five months, Carter dithered. At last, steeling himself, he authorized a military rescue operation that had to be aborted after a series of mishaps that would have fit well into a Marx Brothers movie like *Duck Soup* if they had not been more humiliating than comic. After 444 days, and just hours after Ronald Reagan's inauguration in January 1981, the hostages were finally released by the Iranians, evidently because they feared that the hawkish new President might actually launch a military strike against them.

Yet if they had foreseen what was coming under Reagan, they would not have been so fearful. In April 1983, Hizbullah—an Islamic terrorist organization nourished by Iran and Syria—sent a suicide bomber to explode his truck in front of the American embassy in Beirut, Lebanon. Sixty-three employees, among them the Middle East CIA director, were killed and another 120 wounded. But Reagan sat still.

Six months later, in October 1983, another Hizbullah suicide bomber blew up an American barracks in the Beirut airport, killing 241 U.S. marines in their sleep and wounding another 81. This time Reagan signed off on plans for a retaliatory blow, but he then allowed his Secretary of Defense, Caspar Weinberger, to cancel it (because it might damage our relations with the Arab world, of which Weinberger was always tenderly solicitous). Shortly thereafter, the President pulled the marines out of Lebanon.

Having cut and run in Lebanon in October, Reagan again remained passive in December, when the American embassy in Kuwait was bombed. Nor did he hit back when, hard upon the withdrawal of the American marines from Beirut, the CIA station chief

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there, William Buckley, was kidnapped by Hizbullah and then murdered. Buckley was the fourth American to be kidnapped in Beirut, and many more suffered the same fate between 1982 and 1992 (though not all died or were killed in captivity).

These kidnappings were apparently what led Reagan, who had sworn that he would never negotiate with terrorists, to make an unacknowledged deal with Iran, involving the trading of arms for hostages, which triggered the Iran-*contra* crisis. But whereas the Iranians were paid off handsomely in the coin of nearly 1,500 antitank missiles (some of them sent at our request through Israel), all we got in exchange was three American hostages.

In September 1984, six months after the murder of Buckley, the U.S. embassy annex near Beirut was hit by yet another truck bomb (also traced to Hizbullah). Again Reagan sat still. Or rather, after giving the green light to covert proxy retaliations by Lebanese intelligence agents, he put a stop to them when one such operation, directed against the cleric thought to be the head of Hizbullah, failed to get its main target while unintentionally killing 80 other people.

It took only another two months for Hizbullah to strike once more. In December 1984, a Kuwaiti airliner was hijacked and two American passengers employed by the U.S. Agency for International Development were murdered. The Iranians, who had stormed the plane after it landed in Tehran, promised to try the hijackers themselves, but instead allowed them to leave the country. At this point, all the Reagan administration could come up with was the offer of a $250,000 reward for information that might lead to the arrest of the hijackers. There were no takers.

The following June, Hizbullah operatives hijacked still another airliner, an American one (TWA flight 847), and then forced it to fly to Beirut, where it was held for more than two weeks. During those weeks, an American naval officer aboard the plane was shot, his body ignominiously hurled onto the tarmac, after which the demands of the hijackers for the freeing of hundreds of terrorists held by Israel began to be met in exchange for the release of the other passengers. Both the United States and Israel denied that they were violating their own policy of never bargaining with terrorists, but as with the arms-for-hostages deal, no one believed them, and it was almost universally assumed that Israel had acted under pressure from Washington. Later, four of the hijackers were caught, but only one wound up being tried and jailed (by Germany, not the United States).

The sickening beat went on. In October 1985, the *Achille Lauro*, an Italian cruise ship, was hijacked by a group under the leadership of the PLO's Abu Abbas, working with the support of Libya. One of the hijackers threw an elderly wheelchair-bound American passenger, Leon Klinghoffer, overboard. When the hijackers attempted to escape in a plane, the United States sent Navy fighters to intercept and force it down. Klinghoffer's murderer was eventually apprehended and sent to prison in Italy, but the Italian authorities let Abu Abbas himself go. Washington—evidently having exhausted its repertoire of military reprisals—now confined itself to protesting the release of Abu Abbas. To no avail.

Libya's involvement in the *Achille Lauro* hijacking was, though, the last free pass that country's dictator, Muammar Qaddafi, was destined to get from the United States under Reagan. In December 1985, five Americans were among the twenty people killed when the Rome and Vienna airports were bombed, and then in April 1986 another bomb exploded in a discotheque in West Berlin that was a hang-out for American servicemen. U.S. intelligence tied Libya to both of these bombings, and the eventual outcome was an American air attack in which one of the residences of Qaddafi was hit.

In retaliation, the Palestinian terrorist Abu Nidal executed three U.S. citizens who worked at the American University in Beirut. But Qaddafi himself—no doubt surprised and shaken by the American reprisal—seems to have gone into a brief period of retirement as a sponsor of terrorism. So far as we know, it took nearly three years (until December 1988) before he could pull himself together to the point of undertaking another operation: the bombing of Pan Am flight 103 over Lockerbie, Scotland, in which a total of 270 people lost their lives. Of the two Libyan intelligence agents who were tried for planting the bomb, one was convicted (though not until the year 2001) and the other acquitted. Qaddafi himself suffered no further punishment from American warplanes.

In January 1989, Reagan was succeeded by the first George Bush, who, in handling the fallout from the destruction of Pan Am 103, copied and intensified the law-enforcement approach to terrorism. During Bush's four-year period in the White House, there were several attacks on Americans in Turkey by Islamic terrorist organizations, and there were others in Egypt, Saudi Arabia, and Lebanon. None of these was as bloody as previous incidents, and none provoked any military response from the United States.

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In January 1993 Bill Clinton became President. Over the span of his two terms in office, American citizens continued to be injured or killed in Israel and other countries by terrorists who were not aiming specifically at the United States. But several spectacular terrorist operations occurred on Clinton's watch of which the U.S. was most emphatically the target.

The first, on February 26, 1993, only 38 days after his inauguration, was the explosion of a truck bomb in the parking garage of the World Trade Center. As compared with what would happen on September 11, 2001, this was a minor incident in which "only" six people were killed and over a thousand injured. The six Muslim terrorists responsible were caught, tried, convicted, and sent to prison for long terms.

But in treating the attack as a common crime, or the work of a rogue group acting on its own, the Clinton administration willfully turned a deaf ear to outside experts like Steven Emerson and even the director of the CIA, R. James Woolsey, who strongly suspected that behind the individual culprits was a terrorist Islamic network with (at that time) its headquarters in Sudan. This network, then scarcely known to the general public, was called al Qaeda, and its leader was a former Saudi national who had fought on our side against the Soviets in Afghanistan but had since turned against us as fiercely as he had been against the Russians. His name was Osama bin Laden.[2]

The next major episode was not long in trailing the bombing of the World Trade Center. In April 1993, less than two months after that attack, former President Bush visited Kuwait, where an attempt was made to assassinate him by—as our own investigators were able to determine—Iraqi intelligence agents. The Clinton administration spent two more months seeking approval from the UN and the "international community" to retaliate for this egregious assault on the United States. In the end, a few cruise missiles were fired into the Iraqi capital of Baghdad, where they fell harmlessly onto empty buildings in the middle of the night.

In the years immediately ahead, many Islamic terrorist operations in which Americans were murdered or kidnapped or injured continued in Turkey, Pakistan, Saudi Arabia, Lebanon, Yemen, and Israel, but these were not specifically aimed at the United States. In March 1995, however, a van belonging to the U.S. consulate in Karachi, Pakistan, was hit by gunfire, killing two American diplomats and injuring a third. In November of the same year, five Americans died when a car bomb was exploded in Riyadh, Saudi Arabia, near a building in which a U.S. military advisory group lived.

ALL THIS was trumped in June 1996, when another building in which American military personnel lived—the Khobar Towers in Dhahran, Saudi Arabia—was blasted by a truck bomb. Nineteen of our airmen were killed, and 240 other Americans on the premises were wounded.

In 1993, Clinton had been so intent on treating the World Trade Center as a matter for law enforcement that he refused even to meet with his own CIA director, James Woolsey. Perhaps he anticipated that he would be told things about terrorist networks and the states sponsoring them that he did not wish to hear because he had no intention of embarking on the military action that such knowledge might force upon him. Now, in the wake of the bombing of the Khobar Towers, Clinton again handed the matter over to law enforcement, but the man in charge, his FBI director, Louis Freeh, who had intimations of an Iranian connection, could no more get through to him than Woolsey had before. There were a few arrests, and the action then moved into the courts.

In June 1998, grenades were unsuccessfully hurled at the U.S. embassy in Beirut. A little later, our embassies in the capitals of Kenya (Nairobi) and Tanzania (Dar es Salaam) were not so lucky. On the very same day—August 7, 1998—car bombs went off in both places, leaving more than 200 people dead, of whom twelve were Americans. Credit for this coordinated operation was claimed by al Qaeda. In what was widely interpreted, especially abroad, as a move to distract attention from his legal troubles over the Monica Lewinsky affair, Clinton fired cruise missiles at an al Qaeda training camp in Afghanistan, where bin Laden was supposed to be at that moment, and at a building in Sudan, where al Qaeda also had a base. But bin Laden escaped harm, while it remains uncertain to this day whether the building in Sudan was actually manufacturing chemical weapons or was just a harmless pharmaceutical factory.

This fiasco—so we have learned from former members of his administration—discouraged any further such action by Clinton against bin Laden, though a lengthy two-part series by Barton Gellman in the *Washington Post* discloses that there were

[2] By now, according to the *New York Times*, the suspicions of Emerson and Woolsey have been accepted by the intelligence officials who had originally rejected them in favor of the rogue-group theory. Not so, however, with Laurie Mylroie's (to me) plausible case implicating Saddam Hussein as well.

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covert counterterrorist operations and a number of diplomatic initiatives that led to arrests in foreign countries. Woolsey (who after a brief tenure resigned from the CIA out of sheer frustration) does not dispute this. But as Dick Morris, then Clinton's political adviser, writes in the *New York Post*:

> The weekly strategy meetings at the White House throughout 1995 and 1996 featured an escalating drumbeat of advice to President Clinton to take decisive steps to crack down on terrorism. The polls gave these ideas a green light. But Clinton hesitated and failed to act, always finding a reason why some other concern was more important.

Gellman's articles cover a later period when more was going on behind the scenes, but most of it remained in the realm of talk or planning that went nowhere. All in all, in an interview with Byron York in *National Review*, Woolsey's retrospective description of Clinton's overall approach to terrorism is devastating: "Do something to show you're concerned. Launch a few missiles in the desert, bop them on the head, arrest a few people. But just keep kicking the ball down field."

Bin Laden, picking up that ball on October 12, 2000, when the *USS Cole* docked for refueling in Yemen, dispatched a team of suicide bombers. The bombers did not succeed in sinking the ship, but seventeen American sailors died and another 39 were wounded.

Judith Miller in the *New York Times* cites both "intelligence analysts" and the director of counterterrorism in the White House as having no doubt that the culprit was al Qaeda. But the heads neither of the CIA nor of the FBI thought the case was "conclusive." Hence the United States did not so much as lift a military finger against bin Laden or the Taliban regime in Afghanistan where he was now holed up and being protected. As for Clinton, so obsessively was he then wrapped up in a futile attempt to broker a deal between the Israelis and the Palestinians that all he could see in this attack on an American warship was an effort "to deter us from our mission of promoting peace and security in the Middle East." The terrorists, he resoundingly vowed, would "fail utterly" in this objective.

Never mind that not the slightest indication existed that bin Laden was in the least concerned over Clinton's negotiations with the Israelis and the Palestinians at Camp David, or even that the Palestinian issue was of great importance to him. In any event, it was Clinton who failed, not bin Laden. The Palestinians under Yasir Arafat, spurning an unprecedentedly generous offer that had been made by the Israeli prime minister Ehud Barak with Clinton's enthusiastic endorsement, unleashed a new round of terrorism. But bin Laden succeeded all too well in his actual intention of striking another brazen blow at the United States.[3]

The sheer audacity of what bin Laden went on to do on September 11 was unquestionably a product of his contempt for American power. Our persistent refusal for so long to use that power against him and his terrorist brethren—or to do so effectively whenever we tried—reinforced his conviction that we were a nation on the way down, destined to be defeated by the resurgence of the same Islamic militancy that had once conquered and converted large parts of the world by the sword.

As bin Laden saw it, thousands or even millions of his followers and sympathizers all over the Muslim world were willing, and even eager, to die a martyr's death in the jihad, the holy war, against the "Great Satan," as the Ayatollah Khomeini had called us. But we in the West, and especially in America, were all so afraid to die that we lacked the will even to stand up for ourselves and defend our degenerate way of life.

Bin Laden was never reticent or coy in laying out this assessment of the United States. In an interview on CNN in 1997, he declared that "the myth of the superpower was destroyed not only in my mind but also in the minds of all Muslims" when the Soviet Union had been defeated in Afghanistan. That American-supplied arms had made this outcome possible did not seem to enter into his calculations. Indeed, in an interview a year earlier, he had belittled the United States as compared with the Soviet Union. "The Russian soldier is more courageous and patient than the U.S. soldier," he said. Hence, "Our battle with the United

[3] For a much fuller and more detailed account of terrorist attacks originating in the Middle East since 1970, see the chronology compiled by Caroline Taillandier for the *Middle East Review of International Affairs* (MERIA), December 2001 (meria.idc.ac.il). I have relied on this document in my own sketchier summary, as well as on "Terrorist Attacks on Americans, a "timeline" put together by the PBS *Frontline* series in conjunction with one of its post-September 11 broadcasts (www.pbs.org/wgbh/pages/frontline/shows/target/etc/cron.html).

Another listing, going back further than either of these, was recently compiled by the U.S. State Department (www.state.gov/r/pa/ho/pubs/fs/index.cfm). Entitled "Significant Terrorist Incidents, 1961-2001," this compilation is not restricted to attacks emanating from the Middle East or directed at the United States; but neither does it contain any information about responses by the targets of such attacks. And it inexplicably omits some major terrorist incidents, such as "Black September" in Jordan in 1970 and a series of PFLP attacks in the late 1960's.

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States is easy compared with the battles in which we engaged in Afghanistan."

Becoming still more explicit, he wrote off the Americans as cowards. Had Reagan not taken to his heels in Lebanon after the bombing of the marine barracks in 1983? And had not Clinton done the same a decade later when only a few American Rangers were killed in Somalia, where they had been sent to participate in a "peace-keeping" mission? Bin Laden did not boast of this as one of his victories, but a State Department dossier charged that al Qaeda had trained the terrorists who ambushed the American servicemen.

Bin Laden summed it all up in a third interview, this one with John J. Miller, that was published in *Esquire* in 1998:

> After leaving Afghanistan the Muslim fighters headed for Somalia and prepared for a long battle thinking that the Americans were like the Russians. The youth were surprised at the low morale of the American soldiers and realized, more than before, that the American soldier was a paper tiger and after a few blows ran in defeat.

In short: just as Khomeini had been emboldened by the decline of American power in the 1970's, so perfectly personified by Jimmy Carter, to seize and hold American hostages; and just as all the hysterical talk here in 1990 about the tens of thousands of "body bags" that would be flown home if we went to war with Iraq had encouraged Saddam Hussein to believe that we would acquiesce in his bid to seize control of the oil fields of the Middle East—so the ineffectual policy toward terrorism adopted by a long string of American Presidents (including, for his first eight months in office, George W. Bush) persuaded bin Laden that he could strike us massively on our own soil and get away with it.

Conversely, however, just as Saddam Hussein underestimated American military might and overestimated the dedication of his own troops (even the much vaunted Revolutionary Guard went scampering toward home rather than dig in and fight when the heat was on), Osama bin Laden misread how the Americans would react to being hit where, literally, they lived. He probably expected a collapse into despair and demoralization; what he elicited instead was an outpouring of rage and an upsurge of patriotic sentiment such as younger Americans had never witnessed except in the movies, let alone experienced in their own souls and on their own flesh. The sleeping American giant was awakened and, stretching his mighty arms to a distance of seven thousand miles, swatted the putatively indomitable terrorists like so many bothersome flies.

In that sense, bin Laden did for this country what the Ayatollah Khomeini had done before him. By this I mean that the humiliation Khomeini inflicted on us by the seizure of the hostages in 1979 bred a resistance to Carter's view that American decline was inevitable and that we should acknowledge, accept, and adjust to this inexorable historical development. The entire episode thereby became one of the forces behind the already burgeoning determination to rebuild American power that culminated in the election of Ronald Reagan, who campaigned on the promise to do just that. For all the shortcomings of his own handling of terrorism, Reagan did in fact keep this promise to rebuild American power, which was what set the stage for victory in our long struggle with the Soviet Union.

THE HORRORS of September 11 followed rather than preceded a presidential election. Yet with all due respect to Karl Rove's claim that his boss George W. Bush is no different from what he always was, what happened on that most fateful day obviously effected a transformation in the new President. One hears that Bush, who entered the White House without a clear sense of what he wanted to do there, now feels that there was a purpose behind his election all along: as a born-again Christian, it is said, he believes he was chosen by God to eradicate the evil of terrorism from the world. I think it is a plausible rumor, and I would even guess that in his heart of hearts, Bush identifies more in this respect with Ronald Reagan—the President who rid the world of the "evil empire"—than with his own father, who never finished the job he started in taking on Saddam Hussein.

But what would finishing the job in the war against terrorism mean? The President himself defined it from the start in very broad terms. Our aim was not merely to capture or kill Osama bin Laden and wipe out the al Qaeda terrorists under his direct leadership in Afghanistan. Bush vowed that we would also uproot and destroy the entire network of interconnected terrorist organizations and cells "with global reach" that existed in as many as 50 or 60 countries. No longer would we treat the members of these groups as criminals to be arrested by the police, read their Miranda rights, and brought to trial. From now on, they were to be regarded as the irregular troops of a military alliance at war with the United States, and indeed the civilized world as a whole.

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Furthermore, the governments that gave terrorists help of any kind—sanctuary, money, arms, diplomatic and logistical support, training facilities—would either join us in getting rid of them or would also be regarded as in a state of war with the United States. Bush was unequivocal. These governments, he repeated over and over again, were either with us in the war against terrorism, or they were against us: there was to be no middle or neutral ground.

In defining the war and the enemy in such terms, the President, seconded by both major parties and a vast majority of the American people, was acknowledging the rightness of those who had been stubbornly insisting against the skeptical and the craven alike that terrorism posed a serious threat and that it could not be fought by the police and the courts. Perhaps most important of all was the corollary of such an analysis: that, with rare exceptions, terrorists were not individual psychotics acting on their own but agents of organizations that depended on the sponsorship of various governments.

Not that this analysis of terrorism had exactly been a secret. The State Department itself had a list of seven state sponsors of terrorism (all but two of which, Cuba and North Korea, were predominantly Muslim[4]) and it regularly issued reports on terrorist incidents throughout the world. But aside from the previously mentioned token lobbing of a cruise missile or two, the application of diplomatic and/or economic sanctions that were themselves inconsistently and even perfunctorily enforced, and a number of covert operations, the law-enforcement approach still prevailed.

September 11 changed much—if not yet all—of that. While atavistic phrases like "bringing the terrorists to justice" kept being used, no one could any longer dream that the American answer to what had been done to us in New York and Washington would begin with an FBI investigation and end with a series of ordinary criminal trials. War had been declared on the United States, and to war we were going to go.

But against whom? Almost immediately it became certain that Osama bin Laden had masterminded September 11, and since he and the top leadership of al Qaeda were in Afghanistan, the first target, so to speak, chose itself. Here, however, a complication arose.

I have speculated that, with respect to the war against terrorism, Bush probably came to identify more with Reagan than with his father. And yet in the days just after September 11, his administration went through what looked like a knee-jerk imitation of the method by which the elder Bush had maneuvered his way into a military engagement with Iraq.

Like his father, George W. Bush set about forming a coalition, even though he was in an entirely different position. The elder Bush had enjoyed the support of only half the country during the run-up to Desert Storm, and thus needed a coalition, and the permission of the United Nations, for political cover and even legitimation in the eyes of the Democrats. But the younger Bush, with about 90 percent of the people and a nearly unanimous Congress behind him for a war against terrorism, had more than enough political support to act on his own, without permission from anyone.

Nevertheless, before going into Afghanistan, the President (acting for the most part through Colin Powell) went around courting and wooing countries throughout the Middle East, some of which were on the State Department's own list of state sponsors of terrorism, or had given houseroom to terrorists without for some reason making it onto this roll of dishonor. Under the doctrine the President himself had promulgated in describing his war aims, these countries should have been seen not as potential allies but as enemies. The absurdity of, in effect, asking them to join with us in a war against themselves was well captured by Richard Lowry, the editor of *National Review*, who remarked that it was silly to expect the leaders of the states sponsoring terrorism to bone up on the United Nations Charter and then change their ways.

To add to the absurdity, none of these countries could or would provide us with assistance of any great value. (Such had not been the case in the Gulf war, when some of them not only allowed us to use their territory as bases but even sent troops into combat.) Nor, for that matter, were our great friends, the "moderate" Middle Eastern governments like Saudi Arabia and Egypt, willing to give us much, if any, help. The claim was that they were providing us with valuable intelligence, but if so, it was not valuable enough to result in the capture of Osama bin Laden. In fact, the *New York Times* reported: "Even in the post-September 11 meetings, one senior Bush administration official said, the Saudis 'dribble out a morsel of insignificant information one day at a time.'"

Worse yet—and even leaving aside the awkward detail that fifteen of the nineteen hijackers on September 11 carried Saudi passports—we had the greatest difficulty getting the Saudi rulers to freeze

[4] The other five were Iran, Iraq, Libya, Sudan, and Syria.

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the assets being sent by private "charities" in their own country to al Qaeda, or to make available the passenger lists of flights coming from there to the United States so that they might be screened in advance by our customs officials. Even Kuwait, the country we had liberated from Saddam Hussein a decade earlier, refused our request for such lists, thus setting a new world record for chutzpah.

Then there was Egypt, whose official government newspapers continued spewing out viciously anti-American diatribes, while its president, Hosni Mubarak, not lacking in chutzpah himself, pretended that there was nothing he could do about this. As he shamelessly and with a straight face told several American interviewers, the press enjoyed the same freedom in his country as it did in ours.

Like Saudi Arabia, Pakistan, too, had a population sympathetic to Osama bin Laden, and (while it was not on our State Department's list of state sponsors of terrorism) its security services maintained close connections with al Qaeda and with the Taliban regime. Yet there was a huge difference between Pakistan and the other Islamic countries in the region.

Most of these other countries clucked their tongues sympathetically over what had been done to us on September 11, and declared themselves members of our coalition. But then—after we had begun bombing Afghanistan in earnest—their contribution to our war effort consisted of urging us to prevent the Israelis from *retaliating* against terrorist attacks by Palestinians, and to suspend our own military operations during the Muslim holy month of Ramadan (something none of them had ever done while at war either with one another or with Israel). By contrast, Pakistan, by permitting us to launch air operations from its territory, actually made our eventual victory over the Taliban regime in land-locked Afghanistan far easier than it would have been if we had depended on distant bases and aircraft carriers alone.

These military considerations supplied a justification for the alliance with Pakistan that was lacking where other Islamic members of the coalition were concerned. But even here there was a downside, since some indeterminate number of al Qaeda fighters escaped from Afghanistan into Pakistan when defeat became inevitable, and were able to blend in with a still sympathetic population. Whether they would pose a threat to us again in the future remained to be seen, as did the extent to which President Musharaff of Pakistan would remain willing and/or able to cooperate with us against them.

But if the coalition was unnecessary both from a political and from a military point of view, and if the inclusion within it of states harboring terrorists undermined and obfuscated the moral clarity of the war we were determined to wage, why did the administration devote so much energy to assembling it?

The explanation is that getting a minimal endorsement from as many predominantly Muslim states as possible helped create the impression that our war was not against Islam but against terrorism. Bin Laden might claim to be fighting in the name of Islam against the Christian "Crusaders" of today, but with the backing of several Islamic countries, Bush could charge the terrorists with having "hijacked" a religion that—as he persisted in saying and perhaps even believed—in reality stood for peace and love. (Actually, the word "Islam" means not "peace" but "submission.")

As I write in late December, the campaign in Afghanistan is winding down. The Taliban regime has been routed, many or most of the al Qaeda forces it had been harboring have either been killed or captured, and a new government is being installed that, whatever else it may do, will not offer hospitality to terrorists. No one yet knows where Osama bin Laden is, or whether he is even still alive, and the hunt is on for him or for clues to his whereabouts, and also for intelligence concerning any future plans, in the caves of Tora Bora.

But with Afghanistan gradually fading from attention, the focus is now on phase two of the war, and the main issue is whether or not Iraq should be next. Some commentators are convinced that Saddam Hussein had a hand in September 11, as well as in the bombing of the World Trade Center in 1993, and that Iraq was the original source of the anthrax sent through the mails to several congressional leaders. Others are equally persuaded that Saddam had nothing to do with any of these. But no one seems ready to absolve Saddam Hussein of the responsibility for attempting to assassinate the elder Bush after he left office.

Anyway, it is by now no longer necessary to prove that Saddam is a sponsor of terrorism in order to consider Iraq a target of the war against it, since the President has already established a rationale in stating that, "If you develop weapons of mass destruction [with which] you want to terrorize the world, you'll be held accountable." There is no doubt that Saddam already possesses large stores of chemical and biological weapons, and may (according to Khidhir Hamza, a defector who was

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once his chief nuclear adviser) be "on the precipice of nuclear power."

Both within the administration and in the country at large, a sharp debate is now raging over this issue (though all the members of the coalition, including even the British under Tony Blair, who were our staunchest supporters in phase one, not to mention the lukewarm Muslim states, are—or say in public that they are—against going after Saddam Hussein). Some urge that we defer confronting Iraq, and instead concentrate on easier targets first. Others contend that the longer we wait, the more dangerous Saddam will grow.

Yet whether or not Iraq becomes the second front in the war against terrorism, one thing is certain: there can be no victory in this war if it ends with Saddam Hussein still in power. As Eliot A. Cohen, one of our leading students of military strategy, has written in the *Wall Street Journal*:

> War with Iraq will have its perils. Some are likely to be illusory: the Arab "street," for example, which never quite rises as promised. Others may be quite real, to include the use of chemical and biological weapons. Should the U.S. fail to take the challenge, sooner or later it is sure to find Iraqi terror on its doorstep. It may have already. Should the U.S. rise to the occasion, however, it may begin a transformation of the Middle East that could provide many benefits to the populations of an unfree region. That will, in the end, make us infinitely more secure at home.

In my opinion, by raising the possibility of a transformation of the Middle East, Cohen cuts to the heart of the matter. All wars have consequences that those who enter into them cannot always foresee or may not desire. But big wars do much more than that: they invariably end by reshaping the world. The war of September 11 will be just such a big one—if, as I hope, President Bush is serious about pursuing it to the end, and can hold onto the necessary political support at home for doing so.

In a different piece in the *Wall Street Journal*, Eliot Cohen has also proposed that we look upon this as World War IV, the immediate successor to the cold war, which he rightly characterizes as World War III and to which he sees many similarities in the struggle we are now conducting:

> The cold war was World War III, which reminds us that not all global conflicts entail the movement of multi-million-man armies, or conventional front lines on a map. The analogy with the cold war does, however, suggest some key features of that conflict: that it is, in fact, global; that it will involve a mixture of violent and nonviolent efforts; that it will require mobilization of skill, expertise and resources, if not of vast numbers of soldiers; that it may go on for a long time; and that it has ideological roots.

The last point—around which "Americans still tiptoe"—again cuts to the heart of the matter. The real enemy in this war, Cohen argues—as Daniel Pipes has also so persistently and authoritatively done at greater length—is not the generalized abstraction "terrorism," but rather "militant Islam."[5]

Militant Islam today represents a revival of the expansionism by the sword that carried the new religion from its birthplace in Arabia in the 7th century C.E. through North Africa, the Balkans, Spain, and as far West as the gates of Vienna in the 1680's. In the East, it swept through, among other countries, India, Iran, Afghanistan, and Indonesia, and also penetrated southward into the African lands that became Nigeria and Sudan.

Never in any of those places did Islam undergo anything resembling the various forms of modernization and reform that took place within Christianity and Judaism. The lone exception was Turkey after World War I, under the secularist Kemal Ataturk. But the expectation that Turkey would set a model for the future was not fulfilled. It is true that there are rival traditions—Sunni, Shi'a, Wahabbi—in the many other predominantly Muslim states, but all these sects are equally orthodox.

Certainly not all Muslims are terrorists. Like any other collection of human beings, they can as individuals be good or evil, kind or cruel, intelligent or stupid, sweet or sour. But it would be dishonest to ignore the plain truth that Islam has become an especially fertile breeding-ground of terrorism in our time. This can only mean that there is something in the religion itself that legitimizes the likes of Osama bin Laden, and indeed there is: the obliga-

[5] See, most recently, Pipes's "Who Is the Enemy?" in the January Commentary. Cohen and Pipes do not go into the question of the relation between Saddam Hussein and militant Islam. But David Pryce-Jones, whose *The Closed Circle* (1989, recently reissued in paperback by Ivan Dee with a new post-September 11 introduction) is one of our best books on the Arabs, has put it this way: "To Saddam, bin Laden is a religious fanatic of the kind he usually hangs on the gallows. To bin Laden, Saddam is secular, an apostate. [But] what they share is hatred for the United States . . . and they seek its destruction." To this I would add that, like the PLO, Saddam plays the Islamic card whenever it suits him.

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tion imposed by the Koran to wage holy war, or jihad, against the "infidels."

Two months before September 11, a talk show on the Arabic TV network al-Jazeera broadcast a debate on the topic "Bin Laden—The Arab Despair and American Fear." At the conclusion of the program, the host said to the guest who had been attacking bin Laden as a terrorist: "I am looking at the viewers' reactions for one that would support your positions—but . . . I can't find any." He then cited "an opinion poll in a Kuwaiti paper which showed that 69 percent of Kuwaitis, Egyptians, Syrians, Lebanese, and Palestinians think bin Laden is an Arab hero and an Islamic jihad warrior." He also cited a poll on the station's Internet site in which

> 82.7 percent saw bin Laden as a jihad fighter, 8.8 percent as a terrorist, and 8.4 percent didn't know. . . . There is an Arab consensus from the Gulf to the [Atlantic] Ocean . . . . The people who use the Internet are the educated class—and if this is the situation with them, you can only imagine what it is among the poor, the persecuted, and those who have been stripped [of their rights]. Maybe even 99.99 percent.[6]

IF THESE numbers are even remotely accurate, what hope is there for winning the war we are fighting against militant Islam and the terrorism it uses as its main weapon against us?

One answer is that the defeat of bin Laden will diminish his support dramatically. As he himself once stated, "When people see a strong horse and a weak horse, by nature they will like the strong horse." But I would suggest that a better answer to this enormously difficult question lies in the outburst of relief and happiness that became so vivid among the people of Kabul after we had driven out their Taliban oppressors. Surely what we saw in Kabul provides evidence that Muslims no more like being pushed around and repressed and beaten and killed by thugs—even thugs in clerical garb or quoting from the Qur'an—than does anyone else. Surely they do not enjoy being poor and hungry and ill-housed. Surely they would welcome the comforts and conveniences that are taken for granted in the developed world (remember the poignant run on videocassettes in liberated Kabul?).

In this connection, Bernard Lewis, the greatest contemporary scholar of the Islamic world, makes a very striking observation:

> Generally speaking, popular good will toward the United States is in inverse proportion to the policies of [Islamic] governments. In countries like Saudi Arabia and Egypt, with governments seen as American allies, the popular mood is violently anti-American, and it is surely significant that the majority of known hijackers and terrorists come from these countries. In Iran and Iraq, with governments seen as anti-American, public opinion is pro-American. The joy displayed by the Afghan people at the ending of Taliban rule could be repeated, on a larger scale, in both these countries.

It does not follow that capitalist democracies can be established overnight throughout the "house of Islam" simply by the force of American arms or the American example. No such inverse instant conversion by the sword is at all likely. But it is not so outlandish to expect huge changes in that realm—or at least large parts of it—that will bring about the long-delayed reform and modernization of Islam. This, in turn, would finally give adherents of Islam a chance to set their feet on the path to greater freedom and greater prosperity—and, not so incidentally, to make their peace with the existence of Israel.

Big wars, to say it again, usually end with the world being reshaped in forms unanticipated when they begin. The Middle East is itself a case in point. For the Middle East we know today was not created by a mandate from heaven, and the miserable despotisms there did not evolve through some unstoppable natural or historical process. As it happens, most of the states in question were conjured into existence less than a hundred years ago out of the ruins of the defeated Ottoman empire in World War I. Their boundaries were drawn by the victorious British and French with the stroke of an often arbitrary pen, and their hapless peoples were handed over in due course to one tyrant after another. There is thus no warrant to assume that these states will last forever in their present forms, or that the only alternatives to them are necessarily worse.

In a long article in *Newsweek*, Fareed Zakaria has contended that the way "to save the Arab world" is for the United States to get over this "fear of the worse alternative" that has prevented us from pressuring for political and economic reforms:

> We do not seek democracy in the Middle East—at least not yet. We seek first what might be called the preconditions for democracy . . .

[6] Many more excerpts from this debate, from which I have quoted only a tiny portion, are accessible on the website of the Middle East Media and Research Institute, or MEMRI (www.memri.org/sd/SP31901.html).

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> the rule of law, individual rights, private property, independent courts, the separation of church and state. . . . We should not assume that what took hundreds of years in the West can happen overnight in the Middle East.

Well, yes—and fulfilling Zakaria's agenda would be a tremendous leap forward. But I have to take issue with the idea that democracy and capitalism can grow only in a soil that has been cultivated for centuries. After all, in the aftermath of World War II, the United States managed in a few short years to transform both Nazi Germany and imperial Japan into capitalist democracies. And thanks to our victory in World War III, something similar seems to be happening on its own steam in Central and Eastern Europe, and even in the old heartland of the evil empire itself. Why should the Islamic world eternally remain an exception?

Consider: the campaign against al Qaeda required us to topple the Taliban regime, and we may willy-nilly find ourselves forced by the same political and military logic to topple five or six or seven more tyrannies in the Islamic world (including that other sponsor of terrorism, Yasir Arafat's Palestinian Authority). I can even go along with David Pryce-Jones in imagining the turmoil of this war leading to some new species of an imperial mission for America, whose purpose would be to oversee the emergence of successor governments in the region more amenable to reform and modernization than the despotisms now in place. Like Pryce-Jones, I can also envisage the establishment of some kind of American protectorate over the oil fields of Saudi Arabia, as we more and more come to wonder why 7,000 princes should go on being permitted to exert so much leverage over us and everyone else.

I fully realize that we are judged both by others, and by ourselves, as lacking the stomach and the skills to play even so limited an imperial role as we did in occupying Germany and Japan after World War II. I confess that I myself am sometimes prey to such doubts about our capabilities, or to other doubts stemming from our nature as a nation. Moreover, thinking about our long record of inattention and passivity toward terrorism, I fear a relapse into appeasement, diplomatic evasion, and ineffectual damage control.[7]

YET, GIVEN the transfiguring impact of major wars on the victors no less than on the vanquished, who can tell what we may wind up doing and becoming as we fight our way through World War IV? Whatever the exact contours may turn out to be, the Islamic countries in particular, and the world in general, will look very different by the time this war is over. Very different, and very much better for the vast majority of people everywhere. Unless, that is, the United States is held back by its coalition from moving all the way forward, or the President breaks the promise he made, in his magnificent speech to Congress on September 20, not to waver or falter or tire or lose patience until victory is achieved—a victory that would leave us not with "an age of terror" but with "an age of liberty here and across the world."

[7] This record is richly documented by Gabriel Schoenfeld in "Could September 11 Have Been Averted?" (COMMENTARY, December 2001). Then there is the statement of Michael A. Sheehan, Clinton's last assistant secretary of state for counterterrorism, that is quoted by Gellman in his two-part series in the *Washington Post*: "[I]t was the collective judgment of the American people, not just the Clinton administration, that the impact of terrorism was at a level that was acceptable."

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The Return of Anti-Semitism

Hillel Halkin

"I HAVE awakened to anti-Semitism these days," wrote the American Jewish author Jonathan Rosen in an article in the *New York Times Magazine* last November.

An odd statement for someone as well-versed as he in Jewish matters. What Jew, less than a lifetime after the Holocaust, should have to "awaken" to anti-Semitism? Where had Rosen been all these years? In 1990, according to a national survey, 83 percent of American Jews felt anti-Semitism was a "serious problem" even in the United States, the most hospitable country in history to a large Jewish minority. How could a writer and intellectual who would score in the top percentiles in any test of Jewish knowledge or identification—Rosen formerly served as the editor of the weekly *Forward*'s Arts & Letters section, and has written widely on Jewish themes—have been near the bottom in worrying about the most perennial of threats to Jewish life?

But why pick on Rosen? I have awakened in the same bed. For the first time in my life, anti-Semitism scares me.

And I know where *I* have been. I knew the history of anti-Semitism better than most Jews. New manifestations of it did not fail to anger me. I simply believed, like Rosen, that historically it was, at long last, a spent force. Other well-informed observers had supplied the facts and figures to support this belief. In places that mattered, such as Europe and the United States, these figures showed that anti-Semitism had declined drastically and steadily since World War II. In places where it had not, like Russia and the Arab world, there were, or soon would be, few Jews left. I would have agreed with Barry Rubin, a professor at the Hebrew University, who wrote in 1995:

> The starting point for any honest discussion of anti-Semitism today is the phenomenon's unimportance. Never before, at least since the time Christianity seized power over the Roman Empire, has anti-Semitism been less significant than at present.

I doubt whether anyone would write those words today.

ADMITTEDLY, THE evidence is circumstantial. I have seen no polls indicating that anti-Semitism has risen sharply anywhere. I have simply reacted to the kinds of things that Rosen has:

An acquaintance from Paris saying that never does she remember Jews being talked about there with such open hostility as they are now. A friend back from Spain relating: "It's never happened to me before—I only had to say I was from Israel for all eyes to go cold." An article in the respected French left-wing weekly *Le Nouvel Observateur* reporting, straight-faced, a long-disproved slander to

HILLEL HALKIN *is an Israeli essayist and translator and a regular contributor to* COMMENTARY.

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the effect that soldiers of the Israel Defense Force rape Palestinian women so that their families will then murder them to redeem the family honor. Another article by the respected British novelist A.N. Wilson in the (London) *Evening Standard* of October 22, coming "reluctantly" to the conclusion that the state of Israel no longer has a right to exist. A piece by Petronella Wyatt in the London *Spectator*, observing with dismay that "Since September 11 anti-Semitism and its open expression has become respectable at London dinner tables." ("Well," Wyatt recounts being told by a liberal member of the House of Lords, "the Jews have been asking for it, and now, thank God, we can say what we think at last.") A column by the publisher of the German weekly *Der Spiegel*, comparing Ariel Sharon's attitude toward Palestinian Arabs with Hitler's attitude toward the Jews. A cartoon in the December 7 *International Herald Tribune*, four days after 26 Israelis were killed by suicide bombers to whose recruiters Yasir Arafat had given carte blanche: perched atop a tank with a Jewish star, a bulging "Jewish" nose (which he does not have) on his cruelly contorted face, Ariel Sharon points a cannon at the helpless chairman of the Palestinian Authority and screams, "Prove you have the authority to obey us!" On the wall of Arafat's wrecked office is a map of Israel, Gaza, and the West Bank labeled "Palestine" and showing the 1947 UN partition borders. Palestinian refugees peer through a shell hole in the wall. The *International Herald Trib!*

All this is quite apart from the accumulating record of actual anti-Semitic incidents in Western Europe, from the burning and defacing of synagogues to the molestation of Jewish schoolchildren. And it is apart, too, from the murderous lunacies about Israel circulating in the Arab and Muslim world, such as the widespread accusation that the Mossad engineered the September 11 attack on the United States and somehow got word to Jewish employees in the World Trade Center not to report for work that day, or the 30-part series—produced by Arab Radio and Television, featuring a cast of 400, and aired during the second half of Ramadan this past year—which "dramatized" the *Protocols of the Elders of Zion*. "For the first time," enthused a reporter in a leading Egyptian weekly, Arab viewers could see revealed "the central line that still, to this very day, dominates Israel's policy, political aspirations, and racism."

Arab viewers were also recently treated, on Kuwaiti TV, to a popular political satire showing Sharon drinking the blood of Palestinian children. But of course, this may not have told them anything they did not know. The medieval charge that Jews drink the blood of Gentile children, or bake Passover bread with it, which has been raised periodically in the Arab world since the Damascus Affair of 1840, was already "proved" in *The Matzah of Zion*, published in 1983 by the current Syrian minister of defense, Mustafa Tlas. It was seconded two years ago by the Egyptian mass circulation daily *al-Ahram*, which reported "many recorded cases of the bodies of [Palestinian] Arab children who had disappeared being found, torn to pieces, without a single drop of blood. The most reasonable explanation is that the blood was taken to be kneaded into the dough of extremist Jews." "The past," as Rosen puts it, "has come calling."

For me, the alarm bell had already rung at September's grotesquely named "conference against racism" in Durban, South Africa, an event soon forgotten by the media in the wake of September 11. But Durban is not so easily forgettable.* It was not only the largest and best-publicized international anti-Semitic rally in history, it was the first to be attended by all the world's governments and major humanitarian organizations. Many of these governments, to be sure, including all the European ones, formally opposed the anti-Semitic resolutions on the agenda, which accused Israel of genocide, ethnic cleansing, racism, and apartheid. Yet none followed the lead of the United States in walking out when these resolutions were tabled, or publicly pilloried the many delegates who supported them.

The supporters themselves, of course, insisted they were not anti-Semitic. They were merely anti-Israel and anti-Zionist. But one cannot be against Israel or Zionism, as opposed to this or that Israeli policy or Zionist position, without being anti-Semitic. Israel is the state of the Jews. Zionism is the belief that the Jews should have a state. To defame Israel is to defame the Jews. To wish it never existed, or would cease to exist, is to wish to destroy the Jews.

This is not something that is as obvious to as many people as it should be. Yet only an anti-Semite can think the world would be better off without Israel, just as only a Francophobe can think the world would be better off without France. Only an anti-Semite can systematically accuse Israelis of what they are not guilty of, just as only an Anglophobe can make such accusations against the English. "Jewish" and "Israeli" are not synonymous? No, they are not—but 40 percent of the world's Jews live in Israel. There are Jews who

* See Arch Puddington, "The Wages of Durban," in the November 2001 Commentary.

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are anti-Zionist? Yes, there are—and there are Englishmen who revile England.

Even this is not putting it strongly enough. There are times when only an anti-Semite can accuse Israel of what it *is* guilty of.

Let us take the case, lately in the news again, of Sabra and Shatila. These were the Palestinian refugee camps in Beirut where, in September 1982, two months after the Israeli invasion of Lebanon, Christian Lebanese forces murdered hundreds of Palestinians, many of them women and children, while on a mission to flush out armed Palestinian militias and terrorists. Although the exact degree of Israeli complicity in this action is unclear, there is no doubt—as determined by a special commission set up at the time by the Israeli government itself—that the Israeli army permitted the Christian forces to enter the camps and operate freely there; there is also no doubt that the army should have known what these forces were doing and stopped them immediately. Construed most leniently, this was criminal negligence. Since the army's commander-in-chief at the time was then-defense minister Ariel Sharon, can it be anti-Semitic to try him for war crimes, as a Belgian court, responding to litigation brought by the victims' families under a 1993 law, is now poised to do?

It can be and it is.

The reason is simple. Justice is prejudicial when not applied fairly and equally. In the case of Belgium's courts, this means they should indict, or be prepared to indict, criminal negligence in similar cases. One of these took place in the Bosnian town of Srebrenica in December 1995, when a Dutch NATO contingent, assigned to protect the town's Muslim inhabitants against Serbian attack, pulled out and left them at the mercy of the Serbs, who proceeded to massacre thousands of them. The Dutch had every reason to know that such a massacre would take place in their absence. Does anyone believe that, were the families of these slaughtered Bosnians to appeal to Belgian justice, the latter would indict the Dutch officer in command of this contingent, or the UN and NATO officials who counseled him to withdraw?

Or a more recent example. This past December, as the Northern Alliance rolled up the Taliban in Afghanistan, large numbers of Taliban prisoners, especially those belonging to al Qaeda, were executed or permitted to die, some by being shipped long distances in sealed containers in which they suffocated. The Northern Alliance had American military advisers attached to it and was acting as an American proxy. Suppose a Belgian court were asked to indict Secretary of Defense Donald Rumsfeld. Would the plaintiffs get past the courtroom door?

And this of course is not taking into account the many—the innumerable and unambiguous—war crimes committed around the world in the last two decades from Sudan to Indonesia and from Chechnya to the Congo. It is not taking into account repeated Palestinian atrocities against Israelis, many carried out at the express behest of Palestinian Authority chairman Yasir Arafat. Though similar suits have been filed in Belgian courts against figures like Fidel Castro and Saddam Hussein, Belgian justice has so far agreed to consider indicting Israel alone.

This is anti-Semitism, even if the court's judges would be shocked to be accused of it. It is anti-Semitism because, as Norman Podhoretz once wrote in these pages, "All criticisms of Israel based on a double standard, rooted as this is in the ancient traditions of anti-Semitic propaganda, deserve to be stigmatized as anti-Semitic."* It is anti-Semitism even if those expressing it have never made a consciously anti-Semitic remark, or had a consciously anti-Semitic thought, in their lives.

CAN ONE then be anti-Semitic without knowing it? Of course one can, just as one can be unconsciously anti-black or anti-gay or a misogynist. When prejudice is socially acceptable, we admit it, first of all, to ourselves. When it is taboo—as, with regard to Jews, it has been in Europe and America since the Holocaust—we often conceal it even from ourselves. The preferred way of concealing anti-Semitism in our times is to judge Israel more harshly than other countries. This is why an expert on anti-Semitism like Jerome Chanes was begging the question when he said the 1990 data showed that the linkage in America between "anti-Israel attitudes" and "anti-Semitic beliefs" was "not especially strong." The pollsters might as well have asked a neurotic about the linkage between his obsessive symptoms and their repressed cause. If the neurotic could acknowledge the linkage, the cause would not be repressed.

Certainly, this is a truth that can be abused. Labeling any negative comment about Israel as prejudicial can be an easy way of fending off criticism, just as anti-Semites like to accuse Jews of doing. Israel should be no more above criticism than other countries. There is a danger, in defending it, of coming to resemble the stutterer in the joke who, turned down for a broadcaster's job, tells a friend, "I kn-knew th-th-they'd n-never take a J-j-j-jew!"

* "What is Anti-Semitism?," February 1992.

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That is why Podhoretz's observation is crucial. It is precisely the presence or absence of a double standard that determines whether an attitude toward Israel is biased or not.

Take, at random, the morning of December 13, 2001, when I was working on this article. At six o'clock, I switched on my television to the news on CNN. The day before, ten Israeli civilians had been killed in a Hamas bus attack. The news began with an announcement that Israeli-Palestinian tensions had reached "new heights." It continued with . . . a report from Gaza on Palestinian suffering and anger, and footage of a Palestinian crowd accompanying the coffins of four men killed by Israel. There was no mention that all four were shot while launching mortars at Israeli settlements. There was no mention of the ten Israelis. And yet, I cautioned myself, perhaps the Israeli side of the story would be told later. Why be a Jewish stutterer?

I should have known better. At 3 P.M. a CNN interviewer was scolding an Israeli cabinet minister for not knowing that Palestinians were killing Jews because of "the illegal Israeli occupation of Arab land." (I have never seen CNN scold a Palestinian.) At 11 P.M. there were more scenes of the carnage in Gaza, this time of the bombed musical instruments of Arafat's military band—mangled trombones that were, presumably, every bit as bad as mangled bodies. (Of which, in this retaliatory raid deliberately conducted by Israel on an empty building, there was none.) The following morning, another interviewer handled an Israeli spokesman with aggressive sarcasm and listened with docile respect to a Palestinian one. The ten Israeli dead were by now ancient history.

This is not to say that CNN, or other international networks that behave similarly (the BBC has been worse), never give Israel a fair hearing. They sometimes do. But it is such incremental media bias that more than anything else has created a distorted picture of Israel in much of the world. It does not have to be dramatic. Week by week, month by month, it adds up.

Still, even if such bias is consistent, why insist that its only, or even its most likely, explanation is anti-Semitism? It could be a product of superior Palestinian public relations. It could reflect the instinctive sympathy of journalists for the perceived underdog in a conflict whose roots they do not understand. It could be a response to political or financial pressures that tilt more strongly to the Arabs. Why look for anti-Semites beneath every bed?

And why, especially, look for them when, like Jonathan Rosen, I have never been personally affected by anti-Semitism in any but the most trivial ways? In my 30 years of living in America before moving to Israel, I could count on one hand the number of anti-Semitic incidents I encountered, all in my New York childhood. Unlike the generation of my parents, who remembered signs in New England in the 1930's that said, "No Jews or Dogs Allowed," my generation—the one before Rosen's—never experienced Jewishness as the slightest bar to anything. Joseph Lieberman, a prominent member of that generation, recently swept New England while coming within a few hundred votes of the vice-presidency in an election in which anti-Semitism never figured publicly at all.

Still, a large majority of American Jews, polled in 1990, thought anti-Semitism was a serious problem. What were they responding to that Jews like Rosen and myself were not? Was Earl Raab, a close student of the Jewish community for many decades, right in stating that "The large proportion of American Jews who say they worry about anti-Semitism . . . are really expressing a concern not so much about its currency as about its *potential*"? And even if he was, why wait for Durban when one should have been just as alarmed by the potential of the horrendous "Zionism-is-racism" resolution passed by the United Nations General Assembly in 1975? Why have some Jewish intellectuals either paid no attention whatsoever to anti-Semitism or been less anxious about it than "ordinary" Jews, more sanguine about its future, more inclined, like Raab, to the view that, "If the cycle of anti-Semitic behavior and attitude continues to wind down, if the cultural reservoir of Judeophobia is unused long enough, there is no rational basis for believing that it will not virtually disappear"?

This is not, needless to say, a question that pertains to those Jewish writers and intellectuals who are themselves estranged from, or uninterested in, the concerns of the Jewish community, or who actually sympathize to a greater or lesser degree with the attacks on Israel. Rather, it needs to be asked about those who have a strong Jewish identity and the confidence that comes from it. Is it not curious that they, too, should have been, in Rosen's image, asleep?

And yet this is perhaps not as paradoxical as it seems. A strongly identified Jew may be less concerned than other Jews with the non-Jew's opinion of him. Because he unreservedly likes being Jewish, it may not immediately occur to him that he could be disliked for it. He might even be the last to notice

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if he were, just as he might be the last to wonder what non-Jews say about him in his absence. He is like a fish in the center of a large school of fellow fish, oblivious of the tremors in the water that warn those on the periphery of the approach of sharks.

More than that: such a Jew—I am of course speaking also about myself—may resent anti-Semitism less than he resents the idea of being defined by it. The old saw that Jews who have forgotten their Jewishness will always be reminded of it by the world irritates him not so much because of what it says about the world as because of what it says about the Jews. *He* does not need to be reminded.

I remember the first time I read, as a college student, Jean-Paul Sartre's *Anti-Semite and Jew*. A well-intentioned critique written shortly after World War II, it contains a classic formulation: "The Jew is one whom other men consider a Jew: that is the simple truth from which we must start. It is the anti-Semite who *makes* the Jew." Had Sartre called me a dirty kike, I could not have felt greater injury. He was telling me I was a nothing, an interior cavity, a blank page waiting to have "Jew" written on it by someone like himself. I would have liked to walk into Les Deux Magots, his Paris café, and inform him that he had me to thank for being French, which he only was because I thought he was.

For the same reason, I refused to put the Holocaust at the center, or anywhere near the center, of my sense of being a Jew. The Holocaust was not a Jewish deed. It was a Gentile one, and I declined to be defined by what had been done to me rather than by what I had done. I would not have put it exactly as did Jonathan Rosen, who felt that it was "an act of mental health" to recognize that the world of his father, a Hitler refugee, "was not my world and that his fears were the product of an experience alien to me." I had never thought of the Jewish experience in Europe that way. But not to identify with the annihilation of it *was* an act of mental health. One remembered one's catastrophes—with horror, with grief, with rage, and with (yes) shame. One did not celebrate them or build more than the necessary minimum of monuments to them.

The Holocaust has made some Jews less, rather than more, able to see anti-Semitism around them. This is because, if the Nazis demonized the Jew, they also demonized the anti-Semite. In itself, anti-Semitism is not necessarily a lethal vice. But although it is more commonly characterized by the desire to exclude Jews than to kill them, and in this respect is not very different from other ethnic prejudices, its culmination in the Holocaust has forever distinguished it from them. Historically, discrimination against Asians has been far worse in America than discrimination against Jews—yet because no one has ever proposed exterminating Asians, it does not seem, even in an age of political correctness, a moral enormity to be accused of prejudice against them.

The same cannot be said—to the Jewish mind at least—of anti-Semitism. It can no longer be genteel. And since it cannot be, there may be a reluctance to call it by its proper name. When Daniel Bernard, the French ambassador to England, recently referred to Israel at a London dinner party as "a shitty little country" and then denied being anti-Semitic, there was a temptation to give him the benefit of the doubt by acquitting him, not of libel, but of complicity in murder.

As a Zionist, too, one may hesitate to interpret attacks on Israel as anti-Semitic. It was Zionism's proud claim, after all, that it would eliminate anti-Semitism by providing Jews with a homeland to escape to, since anti-Semitism could not exist without Jews. Today we know that it *can* exist without Jews, or at least without focusing on them—and precisely because there is a Jewish homeland to represent them. But admitting this is tantamount to admitting that Zionism has failed in a central objective. It is to acknowledge that, whatever merit there may have been in the claim that Israel would weaken anti-Semitism by fostering a more positive image of the Jew, this has long been outweighed by the anti-Semitization of the image of Israel itself. For anyone believing that Zionism was the most far-sighted of all Jewish responses to modernity, and the one best calculated to restore the Jews to the family of man, this is a bitter reality to accept.

And the persistence of anti-Semitism after the Holocaust must be even more bitter for the committed Jewish secularist. Traditionally, Jews suffered from anti-Semitism; they were not bewildered by it. On the contrary, they understood not only that it existed but that it must exist; that hatred of them was hatred of the God Who chose them; and that the Gentile who "in every generation and generation rises up to destroy us" was acting a role in a conflict that would end only in the fullness of time. Anti-Semitism was sometimes devastating. It was never surprising or demoralizing.

But for the Jew unshielded by religious belief, the demoralization caused by the persistence of anti-Semitism is profound. There is simply no reasonable context to put it in. Once upon a time it could be viewed as the product of specific religious, social, or economic circumstances, something that

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would vanish with the advent of Enlightenment, or Emancipation, or socialism, or liberal democracy. But neither Enlightenment, nor Emancipation, nor socialism, nor liberal democracy has made good on that promise, though the last has done better than the others. Or it could be explained as the Jews' own fault, an incorrigible something in their character that alienated others in all times and places—but the Jew who has not internalized this explanation by becoming an anti-Semite himself knows that, whatever his failings, these are on the whole no worse than those of others who are not held in contempt for them. Or it could be seen, in the words of one writer, "as a symptom of a generalized disease of the Western mind"—but it is most rampant today in Islamic countries that do not possess the Western mind. Or it could be mystically accepted, in Anne Roiphe's words, as "a demonic force, loose in the world, that has chosen for its victim the Jewish people." Yet as Roiphe observes, this is to despair of understanding it at all; it is to conclude that, if the moral nausea caused by the murder of six million Jews could not purge the world of anti-Semitism, nothing ever can or will.

Rather than admit that something is incomprehensible, people often tend to deny its existence, and intellectuals are more prone to this tendency than others. The two-and-a-half decades between "Zionism is racism" and Durban facilitated such a denial. They opened with the Israeli-Egyptian peace treaty, which temporarily silenced virulent criticism of Israel. There followed the 1982 invasion of Lebanon, succeeded five years later by the first *intifada*; while leading to a fresh rhetorical assault on the Jewish state, these might have left one wondering whether Israel's own policies and actions were not the cause, to which a concerned world was at most overreacting. Next, in 1993, came Oslo and another lull. But the current vilification of Israel began to build again during the Oslo process itself, reaching new heights after it broke down, and especially since the summer of 2000 and Ehud Barak's tremendous concessions to the Palestinians.

That anti-Semitism has grown in direct proportion to Palestinian violence against Israel; that it has systematically ignored this violence in order to concentrate exclusively on the evils of Israeli retaliation; that it has gotten worse even as the world has applauded, or passively accepted, an American attack in Afghanistan, many times more destructive of innocent lives than any Israeli reprisal, on terror groups closely allied with Israel's enemies—this defies all rationalization. It can open the eyes even of sleepers.

One must not give an inch on this point. The new anti-Israelism is nothing but the old anti-Semitism in disguise.

I will be told that my own account belies this. If Israel's image in the world has improved or deteriorated in concert with the state of its relations with its Arab neighbors, surely the problem is not anti-Semitism but those relations. Improve them once more—stop occupying Palestinian land—and the problem will disappear.

I invoke the double standard. Who at London dinner parties makes nasty remarks about Hindus because India has militarily occupied Muslim Kashmir for half a century? What French diplomat calls China a "big, shitty country" because of its occupation of Tibet? Besides, even if an Israeli-Palestinian idyll would blunt the critics, such an idyll cannot come to pass. A truce is conceivable, perhaps even a formal settlement based on Israeli withdrawal from Palestinian territory conquered in 1967; a reconciliation, untroubled by further Palestinian and Muslim demands, is not. As long as these demands exist ("But why doesn't Israel take back the families of the Palestinian refugees?" "But why doesn't it return the land it stole in 1948?" "But why must it be a Jewish state?") and can be met only by Israel's destruction, anti-Semitism will go on hiding behind them.

One must keep a sense of proportion. Support for Israel continues to be strong in many places, particularly in the United States and in the Bush administration. Even in Europe, where sympathy for it is markedly lower, the country has held its own diplomatically. Polls show that Americans side four-to-one with Israel as against the Palestinian Authority; among Frenchmen the proportion is four-to-three.

No doubt it is not anti-Semitism but Arab oil and political and financial power, compared to which Israel's own resources are tiny, that account for many of Israel's international difficulties. Given that power, indeed, the remarkable thing is how well Israel has maintained its position. And, on balance, this position has been strengthened by September 11 and its aftermath. Perhaps Barbara Amiel, the columnist in whose London home Ambassador Bernard committed his *petit faux pas*, was prescient when she wrote in an open letter to Petronella Wyatt:

> Don't worry, Petronella.... Powerful as the truth may be, it needs a nudge from the 15,000-pound Daisy Cutter bombs [used in Afghanistan] once in a while. . . . All those people bad-mouthing the Jews and Israel will quiet down. You are

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looking at the tail end of the train, but the engine has already turned a corner and is going in the opposite direction. Nothing succeeds like success. America is driving this train, and the world will get on board—though the last carriage may be those London dinner parties.

One certainly hopes so. But public opinion, at least when it comes to foreign policy, usually changes from the top down, and opinion at the top is less reassuring than opinion in the middle. In a December 20 Pew Research Center survey of "opinion makers" in 24 countries, defined as "influential people in politics, media, business, culture, and government," 68 percent of European respondents and 35 percent of Americans thought "the United States has been too supportive of Israel." Only 45 percent of the American respondents thought the opposite.

These are worrisome figures. Support for Israel, which is difficult to justify on cold grounds of national interest, ultimately depends on broad public backing—and this is especially true of the United States, where such support entails not only large sums of money but also, more than ever since September 11, large perceived risks. The potential for slippage in the willingness to pay a price for this friendship, should Israel be seen as morally undeserving of it, is there. And at this juncture in history, the moral undermining of Israel is anti-Semitism's primary goal. Compared to it, such arcane pursuits as Holocaust denial are trivial. Only the isolation of Israel to the point that it might one day have to stand alone against enemies stronger than it can possibly lead to another Jewish catastrophe.

JEWISH LEADERS and friendly Jewish intellectuals have until now hesitated to raise the charge of anti-Semitism against persistently unfair criticism of Israel. They have not wanted to appear alarmist or whining. They have feared muddying the waters by stirring up an issue that seemed quiescent. With Earl Raab, they have questioned the idea that anti-Semitism is a "cultural reservoir so powerful that it cannot be emptied [but] lies there irreversibly, latent at best, like a reservoir not of water but of gasoline waiting to burst into flame." They—I—have been wrong. Israel is only the match. Fighting the flames means knowing where they come from.

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Judging Richard Posner

Gertrude Himmelfarb

DECLARATION OF interest: I am one of the many public intellectuals criticized in Richard A. Posner's latest book, *Public Intellectuals: A Study of Decline*.* Indeed, I apparently have the distinction of having inspired it. In his introduction, Posner, perhaps the most prolific and widely cited legal theorist of our day, informs us that his editor, having read a review by him of my *One Nation, Two Cultures* (1999), suggested that he write a book inquiring into the "deficiencies" of public intellectuals in general.

My present dilemma was anticipated by Posner himself. Toward the end of the book, he says that book-review editors should make it a policy not to assign a work to someone criticized in it, "at least without full disclosure" of that fact. This, I suspect, is an allusion not to me but to another well-known legal theorist, Ronald Dworkin, who, despite being an object of criticism in two earlier books by Posner, wrote a scathing review of them in the *New York Review of Books* (March 9, 2000). In his response to Dworkin in the *New York Review*, Posner went beyond requiring full disclosure to suggest that a "critical essay," although not a review, would be acceptable.

If I shared Posner's utilitarian cast of mind, I might suspect that his disparagement of so many public intellectuals in this book (including my husband Irving Kristol, my son William Kristol, and some of my best friends) was intended to diminish the supply of critical reviewers. In any case, he has provided me with a plausible defense. This is a critical essay as well as a statement of full disclosure.

THE SUBJECT is irresistible: one of America's most prominent public intellectuals writing about other public intellectuals—and declaring them to be in "decline." Richard Posner is the public intellectual par excellence: a judge of the United States Court of Appeals for the Seventh Circuit (and, until last year, its chief judge), senior lecturer at the University of Chicago Law School (and before his judgeship, the Lee and Brena Freeman Professor of Law there), author of dozens of books on almost as many subjects and of countless articles in law journals and periodicals of every kind.

Posner has not only the lively intelligence one expects of a public intellectual, but also extraordinary energy and resourcefulness, a talent for "maximizing," as he would say, his assets. And maximizing, as well, his public impact, because he has an uncommon taste and talent for controversy and is even less fettered than most by reticence or modesty.

Posner was recently the subject of a long profile in the *New Yorker*, this following another profile last

GERTRUDE HIMMELFARB, *the distinguished historian, is professor emeritus at the City University of New York. In addition to* One Nation, Two Cultures, *available in paperback from Vintage, her many books include the* De-Moralization of Society *and* On Looking into the Abyss.

* Harvard, 408 pp., $29.95.

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year in *Lingua Franca*. He is thus doubly anointed as a public intellectual, once by the most sophisticated "in" journal of academia (now, unhappily, defunct) and again by the most prestigious mass-circulation magazine. Both profiles treat Posner respectfully but wryly: respectfully as one of the leading proponents of what is known as the law-and-economics school, and wryly because he has carried the dicta of that school—rational choice, cost-benefit analysis, free-market economics—far beyond the areas of law and government that were their original province.

Both articles also recall (it is hard not to recall) some of Posner's more audacious views—on the selling of babies as an assertion of normal "parental rights," or on prostitution as a substitute for marriage, or on rape and pedophilia as the normal instincts of men inhibited only by the probability of punishment. And both make it clear that these were not tossed off playfully, as a desire to *épater les bourgeois*, but are the logical products of a mode of thought that is relentlessly economic, utilitarian, and pragmatic. Conservatives who have admired him on these counts may not appreciate just how relentless he has become.

Public Intellectuals is vintage Posner—wide-ranging in subject and far-sweeping in judgment, professedly scientific and aggressively polemical. Until now, Posner tells us, "the public intellectual [had] not been studied systematically." This is "the first comprehensive such study," and the first "to study the public intellectual from an economic standpoint." It is "qualitative and quantitative," "social scientific" and "anecdotal," "taxonomic, theoretical, and empirical."

As befits such a systematic and scientific treatise, this one defines its subject. After some rambling comments on writers who have used the word "intellectual" and individuals who have been regarded as intellectuals, Posner declares the term public intellectual redundant. The intellectual, in contrast to the scholar or mere professional, *is*, in effect, a public intellectual.

> In short, and to an approximation only, the intellectual writes for the general public, or at least for a broader than merely academic or specialist audience, on "public affairs"—on *political* matters in the broadest sense of that word, a sense that includes cultural matters when they are viewed under the aspect of ideology, ethics, or politics (which may all be the same thing). The intellectual is more "applied," contemporary, and "result-oriented" than the scholar, but broader than the technician. Approximate synonyms for "intellectual" in this sense are "social critic" and "political intellectual."

This is a more elaborate definition, but perhaps not a more comprehensive or illuminating one, than that given us by Russell Jacoby, who coined the term public intellectual fifteen years ago in his widely read book, *The Last Intellectuals* (recently reissued). Public intellectuals, Jacoby then wrote (and Posner quotes in a footnote), are "writers and thinkers who address a general and educated audience." Posner further specifies that public intellectuals (he continues to use the term in spite of its redundancy) may or may not be academics; they may be journalists, writers, artists, or politicians; they may reside in think tanks or have "ordinary" jobs.

But whatever their provenance, they have certain characteristics—that is, certain deficiencies—in common. They "tend to be "opinionated, judgmental, sometimes condescending, and often waspish . . . often careless with facts and rash in predictions." Those among them who are academics display these traits in an exaggerated form:

> A proclivity for taking extreme positions, a taste for universals and abstraction, a desire for moral purity, a lack of worldliness, and intellectual arrogance work together to induce in many academic public intellectuals selective empathy, a selective sense of justice, an insensitivity to context, a lack of perspective, a denigration of predecessors as lacking moral insight, an impatience with prudence and sobriety, a lack of realism, and excessive self-confidence.

IN THE first, more systematic half of his book, Posner attempts to generalize about the deficiencies of the current generation of public intellectuals. To illustrate their irresponsibility and carelessness with facts, he offers brief potted critiques of: Noam Chomsky, who compares America with Nazi Germany and regards capitalism as both exploitative and inefficient; Stephen Jay Gould, who denies that intelligence is affected by heredity and race; Camille Paglia, who has become a media celebrity by writing "really wild public-intellectual stuff"; the economist Gary Becker, who ventured so far outside his proper domain as to propose term limits for judges; David Frum, a conservative, who favored the impeachment of President Clinton on moral grounds, and a whole cast of liberal characters—Arthur M. Schlesinger, Jr., Sean Wilentz, Thomas Nagel, Alan Dershowitz, Cass Sunstein,

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and scores of historians—who opposed it on no less spurious grounds.

In a separate category are all the "false prophets" who have made predictions that turned out to be erroneous and became famous in spite of (or because of) those errors: Paul Kennedy, who predicted the waning of American power; John Kenneth Galbraith, who said that the economy of the United States would come to resemble that of the Soviet Union; Paul Ehrlich, who warned that Americans would be subject to water and food rationing by 1980; Jeane Kirkpatrick, who thought that Communist regimes would never evolve into democratic societies; Daniel Bell, who predicted not only the end of ideology but also the end of American economic "hegemony"; and Edward Luttwak, who was confident that the Soviet invasion of Afghanistan would succeed and that the Gulf war would be a catastrophic failure.

Posner supplements these illustrative cases with an analysis of the "market" for public intellectuals, described in terms of cost and benefit, "inspection" and "credence" goods, opportunity costs, market equilibrium, and market discipline. A graph labeled "demand for and supply of public intellectuals" shows D (demand) and S (supply) intersecting at a point marked P (price) and Q (quantity). Posner's only concession to the idiosyncrasies of this particular market is his redefinition of "price" (in the text but not the graph) as "money and other (call it psychic) income."

The "decline" of the public intellectual, Posner tells us, is a case of "market failure," the failure of the market to produce "a socially valuable product." Public intellectuals have tried to enhance their market value by being original, novel, and entertaining, thus sacrificing accuracy, utility, and practicality. In doing so, they have brought about a sharp drop in the average quality of public-intellectual work.

The book's most quantitative, seemingly scientific chapter includes ten tables intended to put "additional empirical flesh on the theoretical skeleton" and to provide "a statistical profile of the modern public intellectual." The first of these tables lists 546 public intellectuals—a presumably comprehensive roster—specifying the number of times each was mentioned in the past five years in the media, on the web, and in scholarly journals. Other tables rank the top 100 in media and scholarly citations, break down the totals into various categories (sex, race, religion, profession, political inclination), and give circulation figures for two dozen publications divided into "left-leaning" and "right-leaning."

Some of the summary tables point to the obvious: among the most visible public intellectuals there are more men than women, more nonblacks than blacks, more Americans than foreigners, more living than dead, more "left-leaning" than "right-leaning." Predictably, government service and journalism correlate with more media citations; being dead or academic with fewer. Other findings are more intriguing: Jews constitute 43 percent of the total number of public intellectuals and 36 percent of the top hundred in media citations.

We also learn—no surprise—that the left-leaning outweigh the right-leaning among public-intellectual journals and magazines. But it *will* come as a surprise—a disagreeable surprise, I suspect—to some of the editors, contributors, and benefactors of *Partisan Review* to find it listed among the left-leaning publications, and those of *Lingua Franca* to find it among the right-leaning ones. The *Public Interest*, on the other hand (admittedly right-leaning), would be delighted if its circulation were anywhere near the 36,800 given here. It does not inspire confidence in Posner's other tables that this one, whose facts and figures are readily available, is so faulty.

Posner's lists, I suspect, will serve much the same function as the book rankings on Amazon.com, permitting public intellectuals to look up their exact standing—and that of their colleagues—among the hoi polloi (the 546) and the elite (the top 100). Posner himself must have been gratified to find his name tenth in the list of scholarly citations, but perhaps disappointed with his rank toward the bottom third in media citations.

If the lists are of dubious utility, so is Posner's economic analysis. His supply-and-demand graph is generic, applicable to all situations of supply and demand, and his redefinition of "price" to include "psychic" income is a cop-out, a catch-all term including any form of gratification that is not economic. Nor, surprisingly, does Posner make any attempt to determine the actual income earned by public intellectuals—though one of his predecessors did try to do just that.

Posner refers in passing to Charles Kadushin's *The American Intellectual Elite*, published in 1974 (which some might regard as the first attempt at a systematic study of public intellectuals, before they were called that). Kadushin cited a 1969 survey demonstrating that the incomes of intellectuals were higher than those of academics. One might have thought, given Posner's penchant for economics and statistics, that he would have updated

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this survey so as to give substance to the abstractions of supply and demand, price and quantity. It would be interesting to know something, for example, about the relative earnings of public intellectuals in and out of the academy, or the supplemental income received by professors for op-ed pieces (minute, in most cases) or television appearances (nil), or royalties on nonacademic books published by commercial presses compared with academic ones by university presses. Instead, all we have by way of crass figures are references to the "millions of dollars" earned by Allan Bloom for *The Closing of the American Mind* and the advance of "several hundred thousand dollars" received by Robert Putnam for *Bowling Alone*—neither of them typical, as Posner is all too well aware.

As FOR Posner's wider claims, I do not find in his various graphs and tables a "statistical profile" of the public intellectual, nor do I see how they could be employed, as he claims, to "test hypotheses" about the quality of public-intellectual work. Posner admits that the use of scholarly citations as "a proxy for scholarly quality or influence is controversial." Yet he goes on to defend that use, claiming that such citations are "highly correlated with virtually every refined measure of quality."

But what does "quality," refined or not, mean in this context? Is it a neutral term, implying no judgment on the work itself? Or a normative term, suggesting a standard against which that work may be assessed? Posner implies the latter. He asserts that he is engaged in an "empirical inquiry into the value, or quality, of public intellectuals," with "value" defined in terms of careful investigation and the filling of an intellectual gap with a clarifying "insight or distinction." Elsewhere, he declares that he wants to put the "public-intellectual market" in perspective by "showing that, and why, its average quality is low ('disappointing') and perhaps falling." A normative sense is also obviously implied in the very theme of this book, "a study of decline."

Who, then, stands at the very top of Posner's list of scholarly citations, his "measure of quality"? The post-modernist theorists Michel Foucault, Pierre Bourdieu, Jürgen Habermas, and Jacques Derrida—with Foucault having almost twice as many citations as the next-ranking intellectual. Posner does not comment on this striking fact, or draw any implications about its bearing on quality; nor do these names merit more than passing mention elsewhere in the book. On the other hand, the fifth-ranked intellectual, Noam Chomsky, draws a good deal of Posner's critical fire, as do ten more of his bêtes noires among the top three dozen on this list. It is obvious that the scholarly list is hardly a reliable criterion of quality.

It might be more plausible to use the list as a proxy for "influence." But even this is dubious, for there is no way of knowing the content or substance of these scholarly citations. What if many of them are negative or critical, thus casting doubt on the influence, as well as the quality, of these intellectuals? Perhaps, for Posner, it all comes down to the old adage that any publicity is a good thing so long as one's name is spelled right.

IF THE first part of the book does not meet Posner's promised standard of rigor, the second half is even more problematic. This deals with various "genres" of public-intellectual work: literary criticism, satire, "declinist" social criticism, public philosophy, and legal commentary.

After all those tables and statistics, one might have expected Posner to focus upon individuals who rank high on his lists and thus exemplify public-intellectual activity in a given genre. Posner admits that he has made no attempt to do this. What he fails to say is that some of the disputes on which he does focus in these chapters took place in scholarly journals that are hardly within the public purview, and do not even merit a mention in his own table of publications catering to public intellectuals.

The genre of literary criticism, for example, features Wayne Booth, a distinguished scholar who, however, barely makes Posner's grand roster of 546. Another of his targets, Martha Nussbaum, is better known as a philosopher than as a literary critic; she does not appear in Posner's elite media list but does in the scholarly one (by virtue, I suspect, of her feminist writings rather than her literary ones). Nussbaum makes an appearance again in Posner's chapter on the "public philosopher," this time paired with Richard Rorty, who, like her, is on the scholarly but not the media list.

The key characters in Posner's chapter on the "declinist" or "Jeremiah" school of social criticism are Robert Bork, who has the distinction of appearing on both elite lists, and myself, who appear on neither. His chapter on the law is dominated by Ronald Dworkin—again, on the scholarly list but not the media one. Satire is something of an oddity among these genres, not only because the prototypes he discusses, George Orwell and Aldous Huxley, have no claim at all to scholarship, but because they are of another time and place. For the reader, it is refreshing to be taken out of the con-

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temporary framework, but strange to find these particular individuals discussed at great length, whereas prominent American public intellectuals of that vintage are mentioned only in passing.

The question keeps recurring: why focus on these public intellectuals when others are more obviously representative? Why, indeed, go to such pains to create a "statistical profile" of the public intellectual if it is not to be utilized? Why, for that matter, select these particular genres rather than others, which, by Posner's own criteria, are more important? Journalism and government, as his tables make clear, produce far more influential public intellectuals than literary criticism or philosophy. Henry Kissinger, Daniel Patrick Moynihan, and George Will are at the very top of the media list, and all of them are not only extremely influential but also eminently respectable intellectuals and scholars. Surely they deserve more than the passing references they receive here.

If Posner's choices of individuals and genres seem arbitrary, it may be because there is another principle of selection at work—one that, by Posner's own standard of cost-benefit analysis, is perfectly rational. Each of these chapters is, in whole or part, a reprise of an article or review that he has published previously. The only exception is the chapter on the public philosopher, though even here some of his critique of Rorty has appeared in his earlier books. A strict market analysis of *Public Intellectuals* would suggest that its author saw it as an opportunity to maximize profits (monetary *and* psychic) by recycling his own work and converting it into yet another book.

The subtitle, "A Study of Decline," points to a more serious difficulty, for we are never told what these public intellectuals are in decline *from*. When and where were public intellectuals not in decline? And who might those admirable people be?

In passing, Posner does list some of the "great intellectuals of the 20th century" who wrote about political or ideological questions and therefore qualify as public intellectuals: John Dewey, Bertrand Russell, Max Weber, Arthur Koestler, Edmund Wilson, George Orwell, Lionel Trilling, F.R. Leavis, C.S. Lewis. But he does not explain what made them "great" or what separates them from their less worthy successors.

Posner's reticence on this question has something to do, I suspect, with his own philosophical predilections. For the fact is that all of these formidable intellectuals of the past were moralists, and some of them—Trilling, Leavis, Lewis, Koestler, Orwell—were passionately so. It was on *moral* grounds that they arrived at their political and ideological views. For Posner, however, there is no more debilitating intellectual vice than moralism.

In his discussion of literary criticism, for example, Posner rebukes both Wayne Booth and Martha Nussbaum for belonging to the "moralist camp," which fails to see that the analysis of literature is a purely aesthetic exercise. Because aesthetic criticism, even if written for a general audience, "does not contribute to public discourse on political or ideological matters," the literary critic, Posner concludes, cannot be a public intellectual.

Yet Posner does grant the status of public intellectual to the most eminent literary critics of the last generation: T.S. Eliot, Edmund Wilson, and Lionel Trilling. Posner tries to accommodate this awkward fact by having them "straddle the divide" between the moralist and aesthetic camps. In fact, however, all of them, consciously and habitually, used literary criticism as the vehicle for moral, social, even political criticism. In this they stood in sharp contrast to the "new critics" of their time (such as Cleanth Brooks) who were formalists and aestheticists in Posner's sense. Trilling in particular was so little of a "straddler" that he is the prototype of the moral critic. It is he who coined the term "moral imagination" and who exercised that imagination more effectively and imaginatively than any other literary critic—indeed, than any other public intellectual of the time.

The other archetype of the moralist is the "Jeremiah" or "cultural pessimist" who thinks that the culture has deteriorated in recent times. Bork's *Slouching Towards Gomorrah* (1996) and my *One Nation, Two Cultures* are the prime specimens on the Right, while Robert Putnam's *Bowling Alone* (2000) represents the leftist tendency in this genre. This "convergence between Left and Right declinists," Posner explains, comes from a common rejection of liberalism and materialism, and a common tendency to exaggerate or mistake the flaws of contemporary society.

Posner deplores the "casualness" with which Bork supposedly manipulates the evidence of decline. He dwells at some length on Bork's discussions of evolution and abortion—the first of which occupies all of two paragraphs of *Slouching Towards Gomorrah* and the second a dozen pages (this in a 350-page book). The rest of Bork's book—on the ideas of liberty and equality as they have evolved in the course of our history, on intellectuals, the courts, popular culture, feminism, race, and the prospects

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for democracy—are casually disposed of in a few paragraphs.

My own book—a "chastened version" of Bork, Posner declares—is subjected to a similarly selective and casual critique, focused largely on sex and divorce and ignoring less sensational subjects such as the idea of civil society, the role of the polity, and the social and moral functions of religion. Posner devotes two paragraphs to the distribution of condoms in schools, claiming that I oppose it because I "want to make premarital sex dangerous in order to discourage it." My book contains exactly two separate single-sentence references to condoms, the first suggesting that the laws requiring the distribution of condoms in school "may be said to legitimize promiscuity"; the second, that faith-based institutions favor sexual abstinence as an alternative to the distribution of condoms.

The idea that I want to make sex dangerous is so remote from anything I wrote or believe that it takes some explaining. The generous explanation is not malice or even gross carelessness on Posner's part, but rather an inability to understand others except in his own terms. For the view he attributes to me is in fact his own. It is pure "rational choice," cost-benefit analysis, as he himself suggests when he goes on to say: "Himmelfarb is on to something: the more dangerous sex is, the less of it there will be." It may make sense to *him* to oppose the distribution of condoms in order to make sex more dangerous, but to an inveterate "moralist" like myself, this is a perfectly monstrous idea. His comments on my view of popular culture, on the other hand, are not monstrous, only risible. My family and friends will be amused to learn that my "implicit taste in popular culture runs to square dances, Glenn Miller, and *South Pacific*." I wonder where he found that in my book.

Bowling Alone also prompts some comments that tell us more about Posner than about its author, Robert Putnam. The subtitle of the book, "The Collapse and Revival of American Community," Posner sees as a "clear bid for bestsellerdom, with its clever combined appeal to fear and hope." He also makes a point of the fact that the book was published by a commercial rather than an academic press, leaving the impression (in spite of his own predilection for the free market) that in Putnam's case, economic motives are somehow disreputable and that there is something suspect about an academic who publishes with a commercial firm.

Posner's discussion of the public philosopher is equally revealing—again, about himself as much as about his subjects. Any number of scholars might join him in criticizing Martha Nussbaum's invocation of the ancient Greeks in defense of present-day homosexual rights. But the grounds of his criticism are as dubious as her defense.

Nussbaum's approval of what she takes to be the Greek attitude toward homosexuality, and at the same time her condemnation of such third-world practices as female circumcision, infanticide, and the inequality of women, spring, Posner says, from the same suspect source: "a universal conception of the good life." Economists, he reminds us, have no use for such universalist notions. For them, "money values, express or imputed, are a meaningful index to a meaningful concept of human welfare." Thus, female circumcision in the third world can be legitimately criticized only in terms of cost-benefit analysis—a test, Posner intimates, that it might well fail. Martha Nussbaum's sin, in short, is that she is a moralist and thus not enough of a relativist.

STILL MORE telling with respect to Posner's own philosophy is the most bitterly polemical—and self-referential—of his chapters, the one in which he recapitulates his debate with Ronald Dworkin in the pages of the *New York Review*. That dispute was prompted by Dworkin's long review of two of Posner's books, both published in 1999: *An Affair of State*, on the impeachment of President Clinton, and *The Problematics of Moral and Legal Theory*, a more ambitious exposition of his philosophy.

Posner chooses to focus here only on the former book. His only allusion to the latter is a reference to Dworkin's attributing to him "extreme views on such matters as baby-selling and infanticide." He dismisses that criticism (as well as the allegation that in writing about the impeachment he was violating judicial ethics) with the simple assertion: "The charge and the attributions were false, but this is not the place to answer them." In a footnote he refers the reader to an article by him in the *Northwestern University Law Review*. But surely this book on public intellectuals, intended for a public audience, rather than a law journal, is the appropriate place for such an answer.

In fact, the two books Dworkin was reviewing are intimately related to one another, as both of them are to *Public Intellectuals*. For all three propound a philosophy of pragmatism—"pragmatic moral skepticism," Posner now calls it—as against any "moralistic" philosophy, or indeed, *any* moral or political philosophy. In *The Problematics of Moral and Legal*

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Theory, Posner develops this theme most explicitly and boldly.

Of Hitler's Germany, he says, for example:

> That the Nazis killed millions of defenseless citizens is a fact; its truth is independent of what anyone believes. That the Nazis' actions were morally wrong is a value judgment: it depends on beliefs that cannot be proved true or false.

Of the postwar Nuremberg trial:

> It was *politically* [Posner's emphasis] right. It created a trustworthy public record of what the Nazis had done, and it exhibited "rule of law" [note the ironic quotation marks] virtues to the German people that made it less likely that Germany would again embrace totalitarianism. . . . But the trial was right not because it could produce proof that the Nazis *really* [his emphasis] were immoralists; they were, but according to our lights, not theirs.

Of human sacrifice:

> We deplore human sacrifice in part because we are more squeamish than premodern people . . . , in part because we instinctively judge other cultures by our own standards, but in part because we know that human sacrifice does not avert drought, flooding, famine, earthquakes, or other disasters and is thus a poor means to a society's ends.

Of infanticide:

> A person who murders an infant is acting immorally in our society; a person who sincerely claimed, with or without supporting arguments, that it is right to kill infants would be asserting a private moral position. I might consider him a lunatic, a monster, or a fool, as well as a violator of the locally prevailing moral code. But I would hesitate to call him immoral, just as I would hesitate to call Jesus Christ immoral for having violated settled norms of Judaism and Roman law or Pontius Pilate immoral for enforcing that law.

Of slavery and infanticide:

> The immorality of slavery and the immorality of infanticide are for many moralists prime candidates for universal moral principles, yet now we see that they are contingent on local circumstances.

And so on. Bestiality, female circumcision, abortion, baby-selling—all are subject to the pragmatic test of utility and the "adaptive" needs of society. These and other examples also appear in an earlier Posner book, *Sex and Reason* (1992), which argues for the legalization of prostitution on the grounds that it is a substitute for and complement to marriage; for the selling of infants (although not older children) to pedophiles, on the grounds that "very few child abusers have a sexual interest in infants"; and for other sexual practices that are based on rational—which is to say, economic—principles as he sees them, rather than the familiar prejudices of moralists and philosophers.

It is clear from *Public Intellectuals* and his other recent books that Posner has carried the insights of law-and-economics far beyond their original scope or intention. For he now seeks not only to economize the law, so to speak, by making it subject to economic criteria and constraints, but to pragmatize it as well—to liberate it from traditional rules and conventions. The profile of Posner in *Lingua Franca* quotes a 1999 article in which he casually dismisses the idea of "the rule of law" by noting that it is "an accidental and readily dispensable element of our legal ideology." To the *New Yorker* interviewer, he protested: "If someone is obviously guilty, why do you have to have all this rigmarole?"—the "rigmarole," that is, of precedents, procedures, and statutes. The interviewer, in a spirit of wonderment rather than hostility, found him "a flamboyantly candid judicial activist," "the most mercilessly seditious legal theorist of his generation."

It is all the more remarkable that so many conservatives should be well disposed to a judicial activist and legal theorist who is, in important matters, so flamboyantly *un*conservative. Perhaps it is because they are properly appreciative of the original law-and-economics philosophy, with its emphasis on property rights and the free market; and appreciative as well of his trenchant critique of such icons of the liberal establishment as Ronald Dworkin, Alan Dershowitz, Martha Nussbaum, and Richard Rorty. A man who has chosen his enemies so well—and who displays such a phenomenal ability to out-talk, out-write, and out-argue them—cannot be all bad, many conservatives seem to think.

"I'm not fully socialized into the legal profession," Posner told his *New Yorker* interviewer, referring to his impatience with the "rigmarole" of the law. He is also, I would venture to say, not fully socialized into society. He professes to accept the prevailing moral code because it happens to be our own, our "local code," not because it is more moral

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than any other. And he criticizes "academic moralists" who torment themselves with questions of ethics and justice, unlike ordinary people who believe what they believe, and act as they act, unaffected by what the philosophers may say. But he himself is not like those ordinary people, and his moral code is emphatically not theirs.

In the market for public intellectuals, Posner informs us, the academic who ventures into the public arena incurs costs, sacrificing some of the repute and prestige that attach to the pure scholar. But there are compensations as well, in the form of a different kind of repute and prestige—and in fees and royalties. As time goes on, I would add, as the academic becomes less of a scholar and more of a public intellectual, those costs mount, sometimes to the point where he may jeopardize not only his academic standing but also his standing as a public intellectual.

Richard Posner, one of our most distinguished public intellectuals, may be in the process of becoming the victim of his own success. For intellectuals, as for celebrities, the danger is over-exposure, not only in the personal sense, with the media tiring of the familiar face and the predictable opinions, but in an intellectual sense as well. With greater public exposure, the fallacies and foibles that might be muted in scholarly tomes become more conspicuous.

Posner's prolificness is awesome. But it also makes him vulnerable. He deplores the tendency of public intellectuals to go to extremes, to try to enhance their market value by being original, novel, and entertaining. But few of them, in fact, go to the extremes of Posner himself, who does so, I believe, not for the economic or other self-serving reasons he attributes to others but for philosophical or ideological ones. For Posner, in spite of his protests, does have a philosophy—one that takes him, logically and inevitably, to the extremes of moral relativism. It may be time for his admirers to consider rescuing what is valuable in the school of thought with which he is identified from the extravagances of the master himself.

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Can Terrorists Get the Bomb?

Gary Milhollin

THE STORY began over a meal in late October. A high British official told a reporter from the London *Times* that Osama bin Laden had the bomb, or at least that he had gotten bomb components, or nuclear materials, and that the source was Pakistan. At about the same time, Pakistan arrested three of its nuclear scientists for questioning about possible ties to the Taliban, bin Laden's Afghan protectors. Then, in early November, bin Laden himself declared that he had nuclear weapons, which he would use as a "deterrent."

Could it be true? Countries do not arrest their nuclear scientists for nothing. By mid-November, Graham Allison, a professor at Harvard and an assistant secretary of defense in the Clinton administration, was predicting in the *Washington Post* that "bin Laden's final act could be a nuclear attack on America." A few weeks later, the *Post*'s Bob Woodward reported that al Qaeda might be making a "dirty" bomb—a radiological device to spread contamination over a wide area. According to Woodward, this could be done by wrapping spent reactor fuel rods around high explosives, which would produce a "zone of intense radiation that could extend several city blocks." A larger bomb, he said, "could affect a much larger area."

GARY MILHOLLIN *directs the Wisconsin Project on Nuclear Arms Control in Washington, D.C. His article, "Shopping with Saddam Hussein" (co-authored with Kelly Motz), appeared in our July-August 2001 issue.*

In Afghanistan itself, American forces have examined dozens of sites where al Qaeda may have worked on nuclear or radiological weapons. Secretary of Defense Donald Rumsfeld cautioned that while it was "unlikely that they have a nuclear weapon," considering "the determination they have, they may very well."

Despite the reports, and despite the attendant warnings, the risk that a terrorist group like al Qaeda could get the bomb (or a "dirty" substitute) is much lower than most people think. That is the good news. There is also bad news: the risk is not zero.

THERE ARE essentially two ways for a terrorist group to lay its hands on a nuclear weapon: either build one from scratch or somehow procure an already manufactured one or its key components. Neither of these is likely.

Building a bomb from scratch would confer the most power: a group that could build one bomb could build several, and a nuclear arsenal would put it front and center on the world stage. But of all the possibilities, this is the unlikeliest—"so remote," in the words of a senior nuclear scientist at the Los Alamos National Laboratory, "that it can be essentially ruled out." The chief obstacle lies in producing the nuclear fuel—either bomb-grade uranium or plutonium—that actually explodes in a chain reaction. More than 80 percent of the effort that went into making America's first bombs was devoted to producing this fuel, and it is no easy task.

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To make bomb-grade uranium, a terrorist group would need thousands of high-speed gas centrifuges, machined to exact dimensions, arranged in series, and capable of operating under the most demanding conditions. If they wanted to produce the uranium by a diffusion process, they would need an even greater number of other machines, equally difficult to manufacture and operate. If they followed Saddam Hussein's example, they could try building a series of giant electromagnets, capable of bending a stream of electrically charged particles—a no less daunting challenge. For any of these, they would also need a steady supply of natural uranium and a specialized plant to convert it to a gaseous form for processing.

Who would sell these things to would-be nuclear terrorists? The answer is: nobody. The world's nuclear-equipment makers are organized into a cooperative group that exists precisely to stop items like these from getting into unauthorized hands. Nor could a buyer disguise the destination and send materials through obliging places like Dubai (as Iran does with its hot cargoes) or Malta (favored by Libya's smugglers). The equipment is so specialized, and the suppliers so few, that a forest of red flags would go up. And even if the equipment could be bought, it would have to be operated in a place that the United States could not find.

If manufacturing bomb-grade uranium is out of the picture, what about making plutonium, a much smaller quantity of which is required to form a critical mass (less than fourteen pounds was needed to destroy Nagasaki in 1945)? There is, however, an inconvenient fact about plutonium, which is that you need a reactor to make enough of it for a workable bomb. Could terrorists buy one? The Russians are selling a reactor to Iran, but Moscow tends to put terrorist groups in the same category as Chechens. The Chinese are selling reactors to Pakistan, but Beijing, too, is not fond of terrorists. India and Pakistan can both build reactors on their own, but, for now, these countries are lined up with the U.S. Finally, smuggling a reactor would be no easier than buying one. Reactor parts are unique, so manufacturers would not be fooled by phony purchase orders.

Even if terrorists somehow got hold of a reactor, they would need a special, shielded chemical plant to chop up its radioactive fuel, dissolve it in acid, and then extract the plutonium from the acid. No one would sell them a plutonium extraction plant, either.

It is worth remembering that Saddam Hussein tried the reactor road in the 1970's. He bought one from France—Jacques Chirac, in his younger days, was a key facilitator of the deal—hoping it would propel Iraq into the nuclear club. But the reactor's fuel was sabotaged in a French warehouse, the person who was supposed to certify its quality was murdered in a Paris hotel, and when the reactor was finally ready to operate, a squadron of Israeli fighter-bombers blew it apart. A similar fate would undoubtedly await any group that tried to follow Saddam's method today.

IF MAKING nuclear-bomb fuel is a no-go, why not just steal it, or buy it on the black market? Consider plutonium. There are hundreds of reactors in the world, and they crank out tons of the stuff every year. Surely a dedicated band of terrorists could get their hands on some.

This too is not so simple. Plutonium is only created inside reactor fuel rods, and the rods, after being irradiated, become so hot that they melt unless kept under water. They are also radioactive, which is why they have to travel submerged from the reactor to storage ponds, with the water acting as both coolant and radiation shield. And in most power reactors, the rods are welded together into long assemblies that can be lifted only by crane.

True, after the rods cool down they can be stored dry, but their radioactivity is still lethal. To prevent spent fuel rods from killing the people who come near them, they are transported in giant radiation-shielding casks that are not supposed to break open even in head-on collisions. The casks are also guarded. If terrorists managed to hijack one from a country that had reactors they would still have to take it to a plant in another country that could extract the plutonium from the rods. They would be hunted at every step of the way.

Instead of fuel rods, they would be better advised to go after pure plutonium, already removed from the reactor fuel and infinitely easier to handle. This kind of plutonium is a threat only if you ingest or inhale it. Human skin blocks its radiation: a terrorist could walk around with a lump of it in his front trouser pocket and still have children. But where to get hold of it? Russia is the best bet: it has tons of plutonium in weapon-ready form, and the Russian nuclear-accounting system is weak. Russia also has underpaid scientists, and there is unquestionably some truth behind all the stories one hears about the smuggling that goes on in that country.

But very little Russian plutonium has been in circulation, with not a single reported case of anything more than gram quantities showing up on

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the black market. This makes sense. Pure plutonium is used primarily for making nuclear warheads, it is in military hands, and military forces are not exactly keen to see it come back at them in somebody else's bombs.

One source of pure plutonium that is not military is a new kind of reactor fuel called "mixed oxide." It is very different from the present generation of fuel because it contains weapon-ready material. But precisely because it is weapon-ready, it is guarded and accounted for, and a terrorist group would have to win a gun battle to get close to it. Then they would probably need a crane to move it, and would have to elude or fight off their pursuers.

If terrorists did procure some weapon-ready plutonium, would their problems be over? Far from it: plutonium works only in an "implosion"-type bomb, which is about ten times more difficult to build than the simple uranium bomb used at Hiroshima. In such a device, a spherical shock wave "implodes" inward and squeezes a ball of plutonium at the bomb's center so that it explodes in a chain reaction. To accomplish all this, one needs precision machine tools to build the parts, special furnaces to melt and cast the plutonium in a vacuum (liquid plutonium oxidizes rapidly in air), and high-precision switches and capacitors for the firing circuit. Also required are a qualified designer, a number of other specialists, and a testing program. Considering who the participating scientists are likely to be, the chances of getting an implosion bomb to work are rather small.

THE ALTERNATIVE to plutonium is bomb-grade uranium—and here things would be easier. This is the fuel used in the Hiroshima bomb. Unlike the implosion bomb dropped on Nagasaki, this one did not have to be tested: the U.S. knew it would work. The South Africans built six uranium bombs without testing; they knew their bombs would work, too. All these devices used a simple "gun" design in which one slug of uranium was shot down a barrel into another.

The problem with buying bomb-grade uranium is that one would need a great deal of it—around 120 pounds for a gun-type bomb—and nothing near that amount has turned up in the black market. In February 2001 an al Qaeda operative named Jamal Ahmed al-Fadl testified in an American court that he had tried to buy some uranium for $1.5 million in 1993. He had been sent to Khartoum, where he saw a cylinder that supposedly contained uranium from South Africa; he did not know whether the deal went through. South Africa went out of the nuclear-weapon business in 1991, and in 1993 it accounted for all of its bomb-grade uranium to the International Atomic Energy Agency. The deal in Khartoum was probably a scam.

What about getting material from Pakistan? Its centrifuges have been turning out bomb-grade uranium since 1986, and by now there is enough for 30 to 50 nuclear weapons. As is well known, at least some of its nuclear scientists have fundamentalist leanings. Could they spirit out enough for a bomb or two?

The chances are virtually nil. Pakistan's nuclear weapons are its proudest achievement. Every gram of bomb-grade uranium has been produced at the expense of the country's suffering population, and every gram is also part of a continuous manufacturing flow. When uranium leaves the centrifuges, it goes to other plants where it is refined and then to still other plants where it is made into bombs. Pakistan produces enough for about three bombs per year, which means that one bomb's worth is the result of several months' output. If any uranium went missing, it would be as if the assembly workers for Ford Explorers suddenly stopped receiving engines. Someone down the production line would be bound to ask questions, and very quickly.

There is also the fact that Pakistan's nuclear program is controlled by the army, still headed by the country's president, Pervez Musharraf. In response to the September 11 terrorist attack on America, Musharraf created a new military command with direct control over the nuclear-weapons program. In the process, he sidelined officers sympathetic to the Taliban. After all these precautions, Musharraf is unlikely to let any bomb fuel slip through his fingers. The only possibility for terrorists to lay their hands on Pakistan's uranium would be if its government fell under the control of sympathizers; given that Pakistan's army is far and away the most effective and stable organization in the country, there is not much chance of that.

Russia, again, is the best bet. It has tons of bomb-grade uranium left over from the cold war and, in addition to bombs, has used this material to fuel nuclear submarines and research reactors. The result has been to spread it across Russia and several other former members of the eastern bloc.

So Russia and its former satellites are a fat target. This past November, citing a database maintained by the International Atomic Energy Agency, the *New York Times* catalogued a long series of Russian-related smuggling attempts. In 1993, for example, over six pounds of weapon-grade urani-

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um in St. Petersburg was about to go astray before being seized; in 1998, there was a foiled effort to steal more than 40 pounds in the Urals. Russian officials told the *Times* that they had twice discovered terrorists staking out their nuclear-weapon sites. Finally, there was one loss "of the highest consequence" during the past year, about which details were not forthcoming.

THERE ARE thus definite prospects in Russia. If terrorists could strike the mother lode, and get enough uranium for a gun-type bomb, they would be on their way.

But the way would still be long. They would have to design the bomb, develop it, and build it, and that would be far from a trivial undertaking. They would have to have a competent bomb designer, who could be a physicist or engineer but would have to come with practical experience in making such things work. High-accuracy machine tools could be dispensed with—implosion not being required, much simpler technologies could be used for firing projectiles down artillery tubes—although someone would have to handle the uranium-235, refine it to metallic form, cast it, and then machine it. Still, with the help of a capable machinist and a chemical laboratory, none of these obstacles is insurmountable.

The main risk would lie in getting caught. True, a uranium bomb would not produce many of the "signatures" that American intelligence agencies look for—the use of a lot of electricity (a sign of a uranium enrichment plant), the presence of contaminated air or water (a sign of a reactor or plutonium extraction plant), a noisy testing program—but a fair number of people would have to be recruited, and one of them could turn the others in. Purchase of equipment might arouse the suspicions of a seller. Above all, what would be needed is a sanctuary—a place in which to assemble the people and the equipment, and keep them together for a period of time. You cannot transport such an operation from cave to cave.

Finding this location would not be easy. A country that was aware of the terrorists' program could end up getting blamed for a nuclear attack on America, and not too many governments would be ready to sign up for that. Better from the terrorists' viewpoint would be a location where the authorities had no idea what they were doing, but even so the theft of the uranium would probably be discovered soon enough, and it might be only a short matter of time before the whole world showed up on their doorstep. Besides, if they only managed to steal enough for one bomb, they would still lack an arsenal—and a single mistake in design could wreck the whole project.

Is there no way around these manufacturing problems? There is: stealing, or buying, a complete bomb. But this presents problems of its own, which are even greater.

All countries, including Russia and Pakistan, take care to safeguard their warheads, and even rogue states, if they should get the bomb, would be highly likely to do the same. Despite press speculation to the contrary, countries maintain careful inventories and employ security measures specifically designed to prevent theft. Warheads are typically stored in bunkers to which access is tightly restricted. They are also protected by alarms and armed guards. Terrorists would have a hard fight on their hands taking over one of these bunkers, and even if they succeeded, they would have a much harder fight getting away with the contents.

Buying is not a great option, either. Since the 1970's, the Libyan dictator Muammar Qaddafi has tried to buy nuclear weapons from China, India, and Pakistan, reportedly offering billions of dollars. So far, there have been no takers. In 1996, General Alexander Lebed, then vying for the presidency of Russia, claimed that a number of "suitcase" bombs—meant to be carried by foot soldiers on demolition missions—had gone missing, but his claim was promptly denied by both the Russian and U.S. governments and has never gained much credibility. In November 2001, President Vladimir Putin said he could certify that no Russian warheads had fallen into terrorist hands.

WHAT OPTIONS remain? Stymied in their plan to acquire a real nuclear weapon, could a determined group of terrorists at least confirm Bob Woodward's fears by manufacturing a "dirty" bomb? Such a device would be much easier to build than a warhead. Instead of producing a nuclear explosion, it would only have to disperse radioactive particles.

This is a likelier bet. But there is a different problem with these devices: they do not pack much radioactive punch. A bomb that carried enough radiation to injure many people quickly would be too hot to handle. The shielding would have to be many times heavier than the radioactive element—so massive, in fact, that there would be no practical way to transport or deploy the weapon. That is why the Pentagon does not consider such devices useful on the battlefield.

Nor is it easy to bring a sufficient amount of ra-

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dioactivity into contact with a bomb's human targets. Lacing a high-explosive charge with nuclear waste from a hospital or laboratory, for example, would kill some people immediately from the explosion, but the only radiological effect would be an increased risk of cancer decades later. Once the area around the blast was decontaminated, it would be safer to walk through it than to be a serious smoker.

To inflict a dangerous dose over a broad area requires spewing around large amounts of nuclear waste. The only place to get such waste would be from a reactor, and the problems with that scenario have already been demonstrated. Even if a group of terrorists could somehow procure radioactive fuel rods or any other form of highly radioactive waste, wrapping the rods around "readily available conventional high explosives," as Woodward suggested in the *Post*, would kill the person doing the wrapping. So would transporting such a weapon to its destination, unless the rods were heavily shielded during the entire operation (which would bring us back to the implausible scenario with the giant protective casks). The fact is that it would be a near impossibility to create, in Woodward's words, a "zone of intense radiation that could extend several city blocks."

A research reactor would be a better source. Many countries use such small reactors to irradiate material samples, and it might be possible to insert some material into one of these reactors secretly, irradiate it, and then withdraw it and put it in a bomb. The difficulty would then lie in making the bomb effective. Highly radioactive materials have short half-lives; thus, any bomb would have to be used right away, and one would not be able to build up a stockpile. If enough radioactivity were packed into the bomb to injure a substantial number of victims, the too-hot-to-handle problem would arise. If the radioactive charge were diluted, the bomb would lose its effect. Saddam Hussein actually made and tested such a bomb in the 1980's, but when UN inspectors toured the test site in the 1990's they could find no trace of radiation from it.

What about putting plutonium into a city's drinking water, or into the air? That, too, is a possibility—but according to a 1995 study by the Lawrence Livermore National Laboratory, plutonium dumped into a typical city reservoir would almost entirely sink to the bottom. The little that dissolved would be greatly diluted by the volume of the water, and the people drinking it would get a smaller dose than from natural background radiation. As for plutonium in the air, if an entire kilogram of the stuff were exploded in a city the size of Munich, Germany, and if 20 percent of it became airborne in respirable particles—as with anthrax, the particles would have to be the right size to lodge in the lungs—the effect (according to the same study) would be to produce fewer than ten deaths from cancer.

The main effect of any of these attacks would be panic: people would flee the contaminated zone. This might create a huge economic impact—which would be a victory for the terrorists—and it would be almost certain to create an even huger psychological impact. On the other hand, and unlike anthrax, radiation is something that scientists know how to detect, and at levels far below those that are dangerous. Even the panic might fade quickly as people were reassured that the environment was safe. In any case, there is no chance of achieving anything remotely like the effect of a real nuclear weapon, however small.

IN SUM, the job of making or procuring a nuclear bomb is a great deal harder than we have been led to believe. From a terrorist's point of view, what is clear above all is that, whether the aim is to build a dirty bomb or a clean one, a sanctuary is needed. The task requires laboratories, equipment, and trained personnel, all of which have to be maintained over a longish period of time.

This in turn underlines the cardinal importance of remaining faithful to our determination to pursue terrorists everywhere, and never leave them in peace. Allowing any group of terrorists to set up shop anywhere puts everyone at risk.

The terrorists' only hope is that we tire of the chase. Then, if they could obtain the bomb, they could deliver it, and anywhere on the globe could become ground zero.

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Why Ashcroft Is Wrong on Assisted Suicide

Nelson Lund

ALONE AMONG the American states, Oregon has legalized physician-assisted suicide. This step was thoroughly debated and solemnly taken by the voters of Oregon not once but twice. In 1994, a narrow majority approved the policy in a formal referendum, and a much larger majority rejected a repeal initiative three years later.

But now, in a ruling issued last November 9, Attorney General John Ashcroft has reversed a decision of his predecessor, Janet Reno, and decided that Oregon doctors may no longer use federally regulated drugs to assist their patients in committing suicide. This decision raises important and troubling questions. Although I support the goal of discouraging physician-assisted suicide, I also believe that Ashcroft is pursuing that goal in a way that may undermine a fundamental constitutional principle.

To see why the Attorney General's approach to the problem is questionable, we need to begin with a closer look at the problem itself. In my view, the people of Oregon made a serious mistake in legalizing assisted suicide. Much of the current enthusiasm for this practice is driven by a perfectly understandable yearning for patient autonomy and by an equally understandable reluctance to let the frequently arrogant medical profession force us to endure degrading, technologically extended deaths. Unfortunately, the legalization of assisted suicide is also a big step down a road that will finally reduce patient autonomy rather than enhance it.

Doctors are uniquely empowered by their technical knowledge and by the nature of their work to kill their fellow citizens without getting caught. The principal check on that power has been the Hippocratic ethic, which forbids physicians from ever playing any part in deliberately hastening the death of any patient. In the movement for assisted suicide, that ethic is now under serious attack. It is under attack, moreover, at the very moment when strong new incentives have been created for doctors to step out of the narrow role of healers and to take on a political function for which they are eminently ill-suited.

This new function involves the allocation of scarce health-care resources, and it is one that has fallen to doctors as a direct result of our present crisis in health-care financing. The crisis itself has two main causes. First, scientific and technological advances have given doctors a huge new array of expensive tools for treating disease and prolonging life. Second, government policies have created a system of "third-party payers" in which patients and doctors alike have lost the incentive to conserve on expenditures, even when the cost of a treatment exceeds its expected benefits.

Inevitably, governments and insurance companies have been forced to seek new methods to prevent uncontrolled spending and waste. What we have gotten is "managed care," a form of increas-

NELSON LUND *is a professor at George Mason University School of Law.*

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ingly politicized rationing that replaces the market discipline under which patients themselves once decided how much of their own money to spend on which medical services.

Oregon itself offers an instructive example. Several years ago, the state adopted a Medicaid rationing plan that assigned a priority to each of hundreds of different medical treatments. Under this plan, funds for lower-ranking treatments would be withheld in order to conserve money for those needing a higher-ranking treatment. When the plan was first proposed, treatments for the late stages of AIDS were assigned a low ranking because they were expensive and largely unsuccessful. But the AIDS lobby campaigned to raise the priority of these treatments, and it succeeded. Meanwhile, patients in analogous situations—like very low-birth-weight babies and patients with advanced cancer—continued to have funds withheld for the simple reason that they were politically less powerful.*

Similar political forces will continue to push the health-care system to conserve resources by withholding care from the most expensive and politically least appealing patients. Whether it happens directly through law and regulation, or informally, very sick patients who are elderly or whose prospects for recovery are thought to be small are going to be prime targets for "hastened deaths." And the neatest justification for a hastened death is that the patient himself asked for help in committing suicide.†

Family members and physicians have always faced special stresses in dealing with apparently doomed patients. Once physician-assisted suicide is legalized, there will be strong temptations to pressure such patients to accelerate the inevitable. This pressure will be especially effective with those who are clinically depressed. There will also be strong temptations for doctors and families to decide that some patients would want to die if only they could make a rational decision.

The Netherlands' experience with assisted suicide shows that the slippery slope to euthanasia is no mere bugaboo. That nation has been running an experiment much like Oregon's for almost three decades. By extremely conservative estimates, almost 1 percent of all deaths in the Netherlands result from euthanasia performed without the patient's consent, including a large number of cases where the patient was totally competent. Nor are Dutch physicians who practice assisted suicide and euthanasia primarily concerned with their patients' pain and suffering. Reasons more commonly cited are no expectation of improvement; low quality of life; futility of medical therapy; and the difficulty that relatives have in coping with their sick kin.

We need not go down this road. The fear that obsessive doctors will inflict a demeaning death by means of high-tech "heroic measures" is entirely legitimate, but no patient need consent to unwanted medical treatments, and directives given in advance can guard against their use on those who are unconscious. And if doctors are too often ignoring "do not resuscitate" orders, as they may be, the answer is hardly to give them a new power that can easily be used to substitute their judgment for their patients' as to whether a life is worth living. Yet this is exactly the power that the people of Oregon have decided to give their physicians.

Still, whether they were right or wrong to do so was not the question before Attorney General Ashcroft. He was charged with determining whether federal law requires or permits him to undermine the policy adopted, wisely or not, by Oregon's voters.

PHYSICIANS WHO decide to help their patients kill themselves typically employ a lethal combination of prescription drugs whose use is regulated by federal law under a framework that began to develop as long ago as 1914. The regulatory statutes have been repeatedly altered, and they have by now become quite detailed and complex. Nevertheless, and despite all the details, certain key provisions are surprisingly vague: in particular, Congress has never said whether or not physicians may use regulated drugs to help their patients commit suicide. After the voters of Oregon emphatically reaffirmed their decision to allow assisted suicide in 1997, Attorney General Reno found nothing in the law to forbid the use of prescription drugs for this purpose.

In reversing the Reno position in November, Ashcroft relied on a lengthy legal opinion from the Justice Department. In order to understand its strengths and weaknesses, we need to begin with a brief summary of the law.

If a physician is licensed by a state to dispense prescription drugs, he must also be given a permit to do so under federal law—unless the Attorney General, which in practice usually means the Drug

* For a more detailed analysis of the relation between assisted suicide and health-care financing, see Nelson Lund, "Two Precipices, One Chasm: The Economics of Physician-Assisted Suicide and Euthanasia," *Hastings Constitutional Law Quarterly*, Summer 1997.

† See Leon R. Kass and Nelson Lund, "Courting Death: Assisted Suicide, Doctors, and the Law," COMMENTARY, December 1996.

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Enforcement Administration (DEA), determines that granting such a permit "would be inconsistent with the public interest." The statute Congress wrote, however, says nothing at all about what constitutes proper or improper use of these drugs by a physician who has a permit to dispense them.

In 1975, a doctor tried to use this statutory silence to defend himself when he was prosecuted for operating as a drug dealer. The Supreme Court rejected his defense on the ground that the statute implicitly requires doctors to act "within accepted limits." This meant, the Court concluded, that a doctor must act "as a physician," dispensing drugs only "in the course of professional practice or research."

We are left with the following question: given the Supreme Court's interpretation of the statute's intent, did Congress mean the "accepted limits" of professional practice to be defined separately by each state's law or by a national consensus? Because state laws seldom conflict in any relevant respect, it would usually make no difference. In the 1975 case, for example, the defendant gave inadequate physical examinations or none at all, ignored the results of the few tests he performed, prescribed whatever amount of drugs the "patient" asked for, and graduated his fee according to the number of tablets prescribed. No state authorizes doctors to behave in this manner.

In 1984, Congress amended the statute to allow the Attorney General to revoke a doctor's federal license for acts inconsistent with the "public interest." (This amendment was apparently triggered by a concern that some states were not being sufficiently vigorous in yanking licenses from physicians who dispensed drugs in an abusive manner.) The Justice Department opinion assumes that this "public-interest" standard must be uniform throughout the nation. It then goes on to show, quite convincingly, that the legitimacy of physician-assisted suicide has been rejected by almost all of the state governments that have considered the issue, by all of the major organizations of the medical profession, and in various ways by the federal government itself. If the "accepted limits" of medical practice must be established by finding a national consensus, Oregon clearly is a deviant jurisdiction that has departed from the consensus view.

PLAUSIBLE AS the Justice Department's conclusion may seem, its argument is not quite persuasive. Physician-assisted suicide may well be inconsistent with what the Attorney General and I believe is in the public interest, but it does not constitute the obvious abandonment of the physician's role that occurs when a doctor starts selling addictive drugs at a fixed price to anyone who asks. Moreover, the Supreme Court's sensible conclusion that Congress did not mean to authorize *individual doctors* to set their own professional standards does not imply that Congress forbade *state governments* from experimenting with nontraditional standards of medical practice. Finally, there is a real difference between lax enforcement of agreed-upon standards by some states (the apparent concern of Congress in 1984) and Oregon's deliberate adoption of a different standard altogether. Congress could decide to override such experiments with a uniform national standard, but it has never done so expressly or by clear implication.

Nor has this congressional inaction resulted from inattentiveness to the Oregon law. After that state's voters first approved assisted suicide, Congress took note of it in a new statute that prohibited any use of federal funds for this practice. The Justice Department's opinion cites that statute as evidence of congressional disagreement with Oregon's decision, which is fair enough, but the statute also stopped far short of forbidding Oregon physicians to use federally regulated drugs in a manner permitted by state law. The failure of Congress to go farther than it did actually reinforces the conclusion that Congress has *not* decided to use federal law to interfere with Oregon's new policy. On the contrary, when Congress decided to restrict the use of federal funds, it also decided not to impose additional restrictions.

The Justice Department's legal opinion also seeks support in a 2001 Supreme Court ruling that effectively nullified a California law authorizing the use of marijuana for medical purposes. This decision certainly does confirm that state law cannot immunize a physician from the requirements of federal drug laws. In the medical-marijuana case, however, an outright conflict between state and federal laws was undeniably present—the federal statute specifically listed marijuana as a substance that Congress had determined has no legitimate medical uses. Since no such explicit congressional decision exists in the context of physician-assisted suicide, the Court's 2001 decision cannot properly be invoked to support interfering with the operation of Oregon's new law.

The medical-marijuana decision highlights an additional problem with the Justice Department position. A standard rule requires courts to resolve statutory ambiguities in a way that avoids raising serious constitutional questions. That rule did not apply in the medical-marijuana case because the

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statute was completely *un*ambiguous. With respect to assisted suicide, however, the federal statute is ambiguous at best.

And the Justice Department's position does raise constitutional questions. In the marijuana case, the Court pointedly noted that it was not deciding "the underlying constitutional issues," which included the question of whether the federal drug-control statute "exceeds Congress's power under the commerce clause." Until a few years ago, such a cautionary note would never have appeared in a Supreme Court opinion: for more than a half-century, the Court had effectively taken the position that virtually any federal regulation Congress saw fit to enact would be upheld as an exercise of its power to regulate interstate commerce. In a recent series of decisions, however, the Court has begun to define or restore some constitutional limits on Congress's regulatory authority.

Although there is little reason to think that the current Court would find the drug laws in general to be unconstitutional, the principles that have been revived in recent decisions might well support a narrower attack on the Attorney General's effort to frustrate Oregon's experiment with physician-assisted suicide. Indeed, a federal court has already suspended the enforcement of Ashcroft's policy, and an initial decision on the merits of this challenge is expected in the spring. The case may eventually reach the Supreme Court, and a victory for Ashcroft's position is by no means certain.

RATHER THAN guess just where the Supreme Court will go, however, it may be more useful to ask whether the Attorney General's decision—which at the very least was not compelled by anything in the statute itself—is consistent with the proper division of responsibilities between the state and federal governments.

Some of the deepest and most intractable questions in the design of representative government have to do with the appropriate size of a political jurisdiction. James Madison offered a quick summary of the American answer:

> It must be confessed that in this, as in most other cases, there is a mean, on both sides of which inconveniences will be found to lie. By enlarging too much the number of electors, you render the representative too little acquainted with all their local circumstances and lesser interests; as by reducing it too much, you render him unduly attached to these, and too little fit to comprehend and pursue great and national objects. The federal Constitution forms a happy combination in this respect; the great and aggregate interests being referred to the national, the local and particular to the State legislatures.

Madison might have added that this "happy combination" is easier to describe in words than to maintain in practice. Writing almost a half-century later, Alexis de Tocqueville was impressed with how stable the combination had remained. This he attributed in large measure (though by no means exclusively) to what he saw as a genuinely novel device in our Constitution. When the thirteen original states created the federal system, they gave to the new government the power not only to make laws but to administer them directly, without intermediation by the constitutive states. This idea, which seems obvious to us today, was so remarkable that Tocqueville was able to say there was still no word for the resulting form of government, even several decades after it had been put into place. He himself described what we had in the United States not as a federal government but as an "incomplete national government."

Three principal benefits arise from leaving the states to deal with local concerns. First, a multiplicity of jurisdictions creates choices that enable citizens to achieve the mix of policies that most closely satisfies their individual wants and needs. Second, and closely related, federalism promotes competition among jurisdictions: state governments that commit serious errors in satisfying their residents' preferences incur the costs of emigration (and immigration forgone) by the taxpayers who make government possible. Finally, the allocation of political power to the state level inhibits the ability of national government to shift costs and benefits from one place to another, and thus to create incentives for pork-barrel policies whose costs exceed their benefits. (Agricultural subsidies and Western water projects are familiar products of such perverse incentives.)

Competition among jurisdictions, however, is not an unmixed blessing. Although it is true, for example, that the national government is sometimes responsible for an inefficient redistribution of costs and benefits, it is also true that the national government can prevent inefficiencies that would otherwise occur. Standard examples include national defense and water pollution. If each state were left free to decide what contribution it would volunteer to the defense of the nation, it might become enormously difficult to achieve an adequate national defense in the first place; similarly, up-

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stream jurisdictions have incentives to overpollute interstate rivers when they can thereby shift part of the costs of the pollution to their downstream neighbors.

Moreover, for every easy example of a function that is more appropriately performed at either the national or the local level, there are other examples where the appropriate allocation is fairly debatable. And even the easy examples have often been politically difficult to resolve correctly: when it comes to agricultural subsidies, for example, proponents can argue that the nation as a whole is better off when the food supply is less dependent on "unreliable foreign sources," or that market failures require the national government to prevent "ruinous competition" among farmers. More commonly, any time a problem is regarded as really serious, it will be said that the failure of the state governments to solve the problem demonstrates the need for national action.

The frustrating result is that everybody can genuflect to federalism as a matter of general principle without thereby committing himself to much of anything as a practical matter. Some sort of rationale is always available when federal jurisdiction would serve one's personal, political, or ideological interest, and the same goes for arguments in favor of protecting state autonomy. Still, having said all that, I believe that the question of physician-assisted suicide is a pretty easy case.

PEOPLE CAN and do have different preferences about this issue, which are presumably based on their differing assessments of the risks and benefits to themselves and those they care about. Convinced though I am that the risks of allowing physician-assisted suicide outweigh the benefits, it would be silly to pretend that no benefits exist, and presumptuous to suppose that I might not be wrong. Nor is it easy to see why Oregon and other state governments should be considered less capable than the federal government of settling on appropriate policies in the light of new experience and information, including new developments in medicine and the medical profession.

When the Supreme Court wisely declined to create a constitutional right to assisted suicide, Justice Sandra Day O'Connor pointed out that in this area there was no obvious need for judicial intrusion:

> Every one of us at some point may be affected by our own or a family member's terminal illness. There is no reason to think the democratic process will not strike the proper balance between the interests of terminally ill, mentally competent individuals who would seek to end their suffering and the state's interests in protecting those who might seek to end life mistakenly or under pressure.

For the very same reason, there is no obvious need for the federal government to interfere with Oregon's experiment.

That is hardly to say there will be no bad effects from Oregon's new policy. To the contrary, vulnerable people will likely be pressured to end their lives prematurely; others will become more distrustful of doctors, and perhaps less willing to submit to treatment. Some physicians will take another big step away from their proper role as healers and comforters, and will become increasingly corrupted by the very different role of deciding whose lives are worth living. Euthanasia of *non*-consenting victims is also entirely possible.

As bad as these effects may be, however, they will be visited almost entirely on Oregonians, and will not threaten the citizens of other states. Nor will Oregon's policy necessarily spread to other states. Every state in the union remains free to outlaw physician-assisted suicide and to enforce its laws as vigorously as it sees fit. Oregon's practice can spread only if the people of other states conclude that the experiment has turned out to be a success.

Besides, even a skeptic like me has to admit the very real possibility that Oregon's approach is not the worst imaginable. If, for example, the political and economic pressures for health-care rationing become significantly more intense, we may see a much more widespread denial of medical care to very feeble patients, including the withholding of food and water. If the alternative to a miserable death by dehydration turns out to be physician-assisted suicide or euthanasia, Oregon's approach may begin to look a lot less bad than it does today.

In any event, the possibility of persuasion by example does not justify federal interference with Oregon's decision. Rather, it provides a reason for federal restraint. As we have seen, Congress itself has exercised just such restraint, for it has not outlawed physician-assisted suicide or expressly forbidden the use of federally controlled drugs in carrying out this practice.

Perhaps the strongest argument for federal preemption of Oregon's policy is that it may lead

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to murder—and no state, certainly, should be free to ignore the most fundamental norms of civilized society. But this sounds more persuasive than it really is. For one thing, the Attorney General's decision forbids only the use of certain drugs, thus leaving doctors free to use other suicide techniques, as Jack Kevorkian did before he finally managed to get himself imprisoned. For another, every state (indeed, every government) does less than it could do to prevent murder, largely because preventative measures are subject to the law of diminishing returns. Oregon has not actually condoned murder, and its adoption of a new policy that may increase the number of murders is analytically similar to a decision to cut back on police services in order to free up funds for other pressing uses. One or the other may be a bad idea, but neither one amounts to a descent into barbarism.

IN SHORT, the Attorney General was not compelled to accept, and should have resisted, what is at best a strained interpretation of the law. Precisely because the courts are generally deferential to the executive's interpretation of regulatory statutes, and precisely because the courts have been highly reluctant to find that Congress has exceeded the limits of its authority to regulate interstate commerce, the Attorney General has a special responsibility to respect the principles of federalism in doubtful cases.

By making it more difficult for Oregon doctors to help their patients kill themselves, Attorney General Ashcroft's decision will probably have some salutary short-term effects. It will do so, unfortunately, only at the price of compromising a political principle with greater and historically demonstrated benefits to us all.

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MUSIC

The Great American Songbook: A Critical Guide

Terry Teachout

OF AMERICA'S many contributions to the arts, the most widely influential—perhaps even more influential than jazz—may ultimately prove to be the body of popular song created during the 20th century by the commercial composers and lyricists who worked on Broadway and Tin Pan Alley and in Hollywood.

The men (and a few women) who wrote these songs did not exist in a cultural or artistic vacuum. Their work was rooted in a well-known European tradition—that of light opera, or operetta. But it was from the outset distinctively American in tone, colored not only by ragtime and early jazz but also by the pungent accent of what H.L. Mencken called "the American language." Though a few European-born musicians, including Kurt Weill, have functioned successfully in the American idiom, no European could possibly have written the words or music of such songs as "Alexander's Ragtime Band," "Blues in the Night," "I Got Rhythm," or "You're the Top."

Three decades ago, however, when rock-and-roll appeared to have achieved complete cultural dominance in America, it was by no means a foregone conclusion that these and other songs by (respectively) Irving Berlin, Harold Arlen, George Gershwin, and Cole Porter would have remained popular to this day. Nor was that impression altogether wrong: pre-rock American popular song is no longer "commercial," at least not in the way it was prior to 1960. With rare exceptions like Diana Krall's recent recording of Burt Bacharach's "The Look of Love," one no longer hears such songs on the radio, or sees them performed on TV.

But they do continue to be performed in concert and recorded regularly, not only by singers who first came to prominence in the 1940's and 50's but also by a new generation of younger artists, including Krall and John Pizzarelli. And while rock and its related idioms continue to dominate commercial music, more and more younger listeners are becoming interested in what James T. Maher has called "the professional tradition in song writing"—a tradition that continues to be carried on by such contemporary songwriters as the jazz pianist-singer Dave Frishberg.*

ODDLY ENOUGH, there is no universally accepted name for the fruits of this tradition, though they are occasionally referred to by the unwieldy title of "the great American songbook," with the constituent entries known as "standards." But with or without a name, most listeners know a standard when they hear one, and they also sense that there are fundamental differences in kind between songs arising from this tradition and those written by rock, blues, or country musicians.

The most significant of these differences is that standard songs are *compositions*. That is, their music exists in a definitive, fully written-out

TERRY TEACHOUT *is the music critic of* COMMENTARY *and a contributor to* Time *magazine. His* H.L. Mencken: A Life *will be published in the fall by HarperCollins.*

* *American Popular Song: The Great Innovators 1900-1950* (Oxford, $40.00), written by the songwriter Alec Wilder in collaboration with Maher and originally published in 1972, remains the standard critical discussion of pre-rock American popular song. I have drawn extensively on this idiosyncratic but masterly work.

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version, usually (but not always) prepared by the composer and published as sheet music. This is not typically true of rock songs, whose "definitive" form is a recording of a particular studio performance. In rock, song and performance can be difficult to differentiate; in pre-rock popular music, by contrast, the song is a pre-existing entity that can be performed by anyone. That is why the best such songs have coalesced over time into a canon, an oeuvre from which any performer can draw.

This is not to say that performers of standards strive to sing them exactly as written, in the way, say, that a classical singer performs an art song. To the contrary, each performer, working in tandem with an accompanist or musical director, creates his own arrangement, which may be sung more or less "straight" but always with a premium on interpretative individuality. But this is the paradox of the standard: precisely because it *is* fully notated and has a definitive shape, one can deviate widely from that shape without undermining the song's essential identity. Tony Bennett, Judy Garland, and Frank Sinatra sing "The Man That Got Away" very differently, but there is no question that they are singing the same song.

Not only are standards compositions, but nearly all of them conform to a rigid structural pattern, in which an introductory verse is followed by a 32-bar chorus that falls into four eight-bar phrases. The chorus works like this: the first of the phrases is repeated, then there follows a contrasting phrase, then there is another repetition—not always exact—of the first phrase. (This structure is known as AABA form, with the B strain called the "bridge" or "release.") The results are as simple and elegant in shape as a sonnet.

The lyrics of standard songs are similarly "classical" in design. The first generation of writers patterned their work after 19th-century light verse, with its often quite elaborate rhymes and scansions.* Most of these writers, particularly Ira Gershwin, Lorenz Hart, and Cole Porter, attained a high degree of verbal dexterity, which is one reason their work was so immediately memorable. Yet their subject matter was not normally comic: most standards are love songs, and while a good many are light in tone, even more are perfectly serious and sometimes deeply felt.

As this brief description suggests, standard songwriters were self-aware craftsmen-professionals, to use James Maher's term. This again marks a difference from rock-and-roll: there the craft is more likely to go into the performances than into the songs, which often contain semi-improvised elements and in any case rarely have the technical finish of a standard. It is especially unusual to encounter a rock song whose lyrics employ the elaborate rhyme schemes commonly found in the work of, say, Hart, Porter, or Stephen Sondheim.

No less distinctive than American popular song is American popular singing. It is infinitely varied in style—from the lightness and grace of Fred Astaire to the intense inwardness of Frank Sinatra—and just as deserving of serious critical consideration. In fact, it is hard to separate the two, for the best singers have usually sung the best songs, and it is by their performances that we know those songs.

Partly for this reason, and partly because the number of first-class standards is unmanageably large, any effort to draw up a list of the finest American popular songs is bound to come to grief. In attempting nevertheless to do justice to the subject, I have chosen to approach it from another direction. What follows is the first installment of an alphabetical list of 50 American pop *singers* of the 20th century, each one performing a different song, all of them currently available on CD.

This list is neither comprehensive nor objective, but it is also not arbitrary. Above all, it reflects my own taste. These are, quite simply, *some* of the songs I like best, and most (though not all) of the singers. No attempt has been made to include singers primarily active in other countries (like Al Bowlly or João Gilberto) or songs originally written in other languages (although Antonio Carlos Jobim, Brazil's greatest songwriter, is included, Brazilian music having been absorbed into the culture of American pop and jazz).

The list is arranged by singer, but it is primarily about songs, and so certain well-known jazz and blues singers are absent. In some cases this is because they are less interested in interpretation than in improvisation—a legitimate preference, but one which tends to obscure the unique qualities of the songs they sing. In other cases it is because my view of their work is at variance with received opinion. Finally, I have not sought to include every well-known standard; although there are many popular favorites here, I have been more interested in suggesting the extraordinary stylistic richness of standard songs and their interpreters.

1. **Karrin Allyson**: "Some Other Time." Music by Leonard Bernstein, lyrics by Betty Comden and Adolph Green.

Except for Kurt Weill, Leonard Bernstein is the only serious classical composer to have successfully "crossed over" to the world of popular music, and four of his five musicals—*On the Town*, *Wonderful Town*, *Candide*, and *West Side Story*—continue to be revived. A half-dozen of his songs have become standards, including this wartime ballad from *On the Town*, which contains an unusual change of key at the bridge that reflects Bernstein's classical training. The gentle lyric is by Bet-

* W.S. Gilbert, who wrote the words for the operettas of Sir Arthur Sullivan, was frequently cited by prewar songwriters as a major influence.

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ty Comden and Adolph Green, who appeared on stage in *On the Town* and went on to have a long partnership on Broadway and in Hollywood, writing both lyrics and scripts (among their best-known collaborations is the screenplay of the film *Singin' in the Rain*).

"Some Other Time" was recorded in 1960 by the jazz pianist Bill Evans, and subsequently became popular among jazz singers. It is beautifully performed by Karrin Allyson, one of the few postwar jazz musicians to have won national recognition without living on the East or West Coast (she was still based in Kansas City when she made this recording). An imaginative improviser with a slender, sunny mezzo-soprano voice, Allyson points up the wistfulness of Bernstein's wide-ranging melody (*Azure-Té*, Concord Jazz CCD-4641).

2. **Louis Armstrong**: "How Long Has This Been Going On?" Music by George Gershwin, lyrics by Ira Gershwin.

Most people think of the Gershwin brothers first whenever they think of American popular song. George combined classical clarity with the vitality of jazz to create a body of songs unrivaled in their consistently high quality, while the witty detachment of Ira's elegantly crafted words virtually defined the art of lyric writing for a generation. "How Long Has This Been Going On?" is one of Ira's more direct statements, and the deftly balanced phrases of George's melody (pivoting on a flattened "blue" third) add expressiveness to the charming lyric.

Though better known as a trumpeter, Louis Armstrong also ranked among the most influential singers in the history of popular music—the first major jazz musician to show how a singer could improvise with as much swing and sophistication as an instrumentalist. As his trumpet embouchure deteriorated and his gravelly voice deepened in middle age, he began to devote more time to singing standard ballads, and this lovely performance from 1957, accompanied by the Oscar Peterson Quartet, is a delightful reminder of the deftness with which he could negotiate a tricky lyric (*Let's Do It: Best of the Verve Years*, Verve 314 529 017-2).

3. **Fred Astaire**: "Cheek to Cheek." Music and lyrics by Irving Berlin.

No popular songwriter was as stylistically diverse, or as commercially successful in so many media, as Irving Berlin. In addition to the free-standing songs of his Tin Pan Alley youth, he wrote with unfailing effectiveness for films and stage revues. When Richard Rodgers and Oscar Hammerstein II introduced the modern musical comedy, with its plot-driven, "integrated" songs, Berlin responded with *Annie Get Your Gun*, which contained more hit tunes than any other show in Broadway history. A musical illiterate—he could play piano only in the key of F-sharp and employed trained assistants to transcribe his work—he was nonetheless capable of producing such startlingly original songs as "Cheek to Cheek," a 64-bar tune in AABBCA form. (Berlin also wrote his own lyrics, which were simpler than those of such virtuosos as Ira Gershwin but also more emotionally straightforward.)

"Cheek to Cheek" was written for Fred Astaire, a peerless theatrical dancer whose singing—about which he was famously modest—won him the admiration of countless songwriters. Despite the wispiness of his light tenor voice, he phrased lyrics with the same graceful touch he brought to his dancing. This studio recording, made in 1935 around the time of the filming of the movie *Top Hat* (in which "Cheek to Cheek" was introduced), is one of the best documents of Astaire's singing in its prewar prime (*A Portrait of Fred Astaire*, Gallerie GALE 414).

4. **Mildred Bailey**: "St. Louis Blues." Music and lyrics by W.C. Handy.

The traditional blues, with its lowered thirds and sevenths and twelve-bar AAB form, remains central to the jazz tradition a century after its emergence. It has also had a powerful influence on many American popular songwriters, though comparatively few have written "true" blues songs, and fewer still of these have become standards. An exception is W.C. Handy's "St. Louis Blues," a twelve-bar blues with a contrasting sixteen-bar, bridge-like strain set against a tango-based rhythm. Published in 1914, three years before the first jazz recordings were made, "St. Louis Blues" quickly became and has since remained one of the best-loved of all American popular songs.

Many jazz and blues singers have recorded "St. Louis Blues," often to striking effect. This performance is by Mildred Bailey, a once-famous popular singer of the 1930's whose recordings were largely forgotten after her death, though she is currently undergoing a critical revival. An unhealthily obese woman with a delicate, high-pitched voice and a distinctively shivery vibrato, she was one of the most creative jazz singers of her generation. On this lightly swinging performance from 1939, she is accompanied by her husband, the innovative vibraharpist and bandleader Red Norvo, and the members of the John Kirby Sextet, a dapper instrumental ensemble that frequently performed jazz versions of familiar classical pieces. (*The Complete Columbia Recordings of Mildred Bailey*, Mosaic MD10-204. This is a boxed set of Bailey's recordings released last year by a mail-order firm specializing in historical reissues, and it can be ordered by calling 203-327-7111 or visiting www.mosaicrecords.com.)

5. **Chet Baker**: "He Was Too Good to Me." Music by Richard Rodgers, lyrics by Lorenz Hart.

Richard Rodgers collaborated with two different lyricists during his long reign as Broadway's most

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successful tunesmith. Lorenz Hart, a dwarfish, self-hating homosexual, wrote astonishingly well-crafted lyrics in the W.S. Gilbert tradition, some sardonically amusing and others full of the anguish of unrequited love. Oscar Hammerstein II, a veteran who had previously collaborated with Jerome Kern on *Show Boat*, was more optimistic, sometimes to the point of naiveté. Rodgers and Hammerstein had bigger hits, but Rodgers and Hart usually wrote better songs—especially "He Was Too Good to Me," an epitome of Hart's dark view of love, set to one of Rodgers's marvelously sweeping melodies (note especially the octave-spanning arpeggio that opens the bridge).

Like many standards, this one is designed so that it can be performed by a singer of either sex by changing the relevant pronouns. As "She Was Too Good to Me," it was recorded in 1974 by Chet Baker, a celebrated cool-jazz trumpeter who frequently doubled as a vocalist. Baker used his thin, fragile voice with extreme sensitivity, and though he was barely a singer in the strict sense of the word, his ballad interpretations at their best have a rare poignancy. Also heard on this recording is a lyrical trumpet solo that leaves no doubt of Baker's distinction as an instrumentalist (*She Was Too Good to Me*, CTI/CBS ZK 40804).

6. **Tony Bennett**: "I Walk a Little Faster." Music by Cy Coleman, lyrics by Carolyn Leigh.

Cy Coleman and Carolyn Leigh were among the last traditional songwriters to win widespread recognition before the arrival of rock-and-roll. They are best known for such hard-swinging songs as "Witchcraft," "I've Got Your Number," and "The Best Is Yet to Come," in which Coleman's riffy, rhythmically insistent melodies (he started out as a jazz pianist) serve as an effective backdrop for Leigh's droll, often sexually suggestive lyrics. But they also produced some of the most memorable standard ballads of the 1950's and 60's, among them the ruefully idealistic "I Walk a Little Faster," whose chiseled melody opens with an unexpected leap of a ninth.

Tony Bennett, who introduced "I Walk a Little Faster," is one of the few Italian-style tenors to sing American popular song idiomatically (though he rarely made full use of his upper register, generally preferring to stay in the high baritone range). A balladeer of utter sincerity, Bennett is also at ease with the rhythmic idiom of jazz, and has probably recorded with more distinguished jazz musicians than any other pop singer of his generation. After a period of temporary eclipse, he was rediscovered by younger listeners in the 80's, and he continues to perform around the world as one of the last surviving icons of the great days of pre-rock popular singing (*Who Can I Turn To*, Columbia CK 66503).

To be continued

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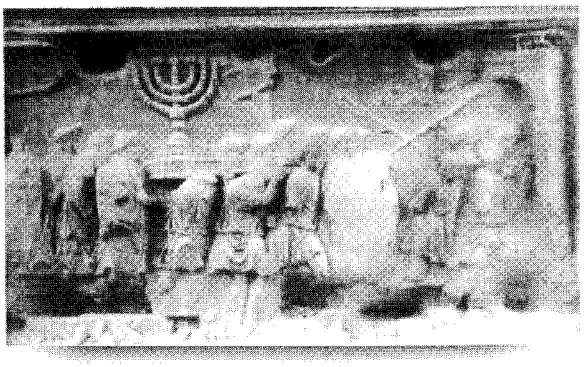

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Books in Review

Chieftain

Jack:
Straight from the Gut
by Jack Welch
with John A. Byrne
Warner. 479 pp. $29.95

Reviewed by
Dan Seligman

As I write, Jack Welch's autobiography sits in the No. 4 slot on the *New York Times* best-seller list, where it has been for three-and-a-half months. Its popularity has astounded many people who thought Warner Books was out of its mind in launching this venture with a $7.1-million author's advance.

Why would literate Americans give a damn about a character whose life was spent rising to the top at General Electric, and then staying there for twenty years? Welch was a strikingly successful chief executive officer, but he was not a "business celebrity" in the Donald Trump or Lee Iacocca mode. And GE, which makes everything from dishwashers to mortgage loans to jet engines, is not exactly a sexy company. Furthermore, the book is not well-written. Sentences do not parse, participles dangle, and the team of Jack Welch and John A. Byrne (a *Business Week* writer) has a collective tin ear, evidenced conspicuously in their repeated insistence on the importance of "boundaryless" management.

But despite all of this, the book is enormously readable and illuminating. If you have any interest in what CEO's of large corporations think about and do all day long, *Jack: Straight from the Gut* is probably your best current bet.

To be sure, you would have a fair number of choices. Memoirs by CEO's have multiplied in recent decades. One reason is that such people are often in a position to pledge large corporate sales for any book they write. Another is that big egos are overrepresented among those who get to the top, and they are easily persuaded that the world needs to hear their stories. When the CEO himself owns both a big ego and a big publishing company, there is presumably less need for persuasion: a current case in point is Sumner Redstone, the CEO of Viacom, which owns Simon & Schuster, which is now, enthusiastically or otherwise, publishing the boss's ego-saturated *A Passion to Win*.

Many CEO's are quite clueless about how to write a book, but this is not an insuperable problem since ghostwriters abound. Only one well-received CEO memoir in recent years seems to have been ghost-free. It was also the only female entry: the late Katharine Graham's *Personal History*, published in 1997 and notably without ego. One of its major recurring themes was Mrs. Graham's massive, incurable insecurity even as she firmly took control of the Washington Post Company and dominated Washington high society.

Despite their typical deficiencies, CEO memoirs do have their place. The chief executive officer of any large American company is likely to have a tale worth telling. At the heart of the job are assorted high-level

DAN SELIGMAN *is a contributing editor of* Forbes. *He reviewed Edward Teller's* Memoirs *in our November issue.*

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strategic decisions about whether to merge with or acquire other companies, how to position one's company in different markets, what works in building a firm's reputation—decisions that are designed, of course, to augment the company's earning power but are typically made in the absence of perfect information and often carry substantial risk of losses.

Not only as decision-makers but as human beings, bosses figure to be interesting. Having met maybe 200 CEO's during several decades in business journalism, I can testify that they are mostly very smart (except when talking about politics) and not necessarily lovable. You do not rise in corporate bureaucracies unless you have the reasoning and verbal skills necessary to prevail in arguments among small groups. It also helps if, on your way up, your executive decisions have not led to screw-ups.

MOST SUCCESSFUL CEO memoirs try to combine the strategic and the personal dimensions, and this one is no exception. Jack Welch grew up in Salem, Massachusetts in a Catholic family that seems to have been lower-middle-class. His father was a lifelong railroad conductor; he credits his mother with pushing him into serious success-striving.

A so-so student, Welch ended up getting a Ph.D. in chemical engineering at the University of Illinois at Champaign. His doctoral thesis, not foreshadowing fame and best-sellerdom, was about condensation in steam-supply systems, but the Ph.D. got him two job offers, one from Exxon and one from General Electric. The GE offer was from Pittsfield, Massachusetts, closer to home, which seems to be why he accepted it.

Welch went to work at GE in 1960, at age twenty-five, and was nominated to be CEO in 1979. In Big Businessland, this counts as a fairly fast incubation period, and forty-four was fairly young to be running one of the country's largest enterprises. The impression one gets here of the younger Welch is that he must have been sociable and great fun to be around—assuming you had his respect—yet also something of a human blowtorch: tough, sure of himself to the point of arrogance, quick to fire incompetents, boundlessly ambitious, and, it seems, contemptuous of GE bureaucracy from the beginning.

In his second year at the company, Welch got a $1,000 raise, to $11,500. This seemed fine to him until he discovered that the salaries of all the fellow-engineers in his group had been raised by the same amount. Welch protested that he was better than they, and brashly told his boss he was quitting. But a senior executive intervened, took Jack and his wife to dinner, and talked him into staying. Somebody, obviously, had already spotted a comer.

Several years later, and several layers higher, the same senior executive had a high-level vacancy in a sizable department that was charged with developing a new kind of plastic. After a group dinner at a local restaurant, Welch followed the executive to his car, planted himself in the front seat, and spent more than an hour demanding the job. Despite resistance, based on Welch's inexperience in marketing, he got it. Years later, when the issue was who would succeed Reginald Jones as GE's CEO, Welch was equally unbashful in promoting himself, and equally successful.

Jack devotes a chapter to each of Welch's principal preoccupations as corporate chieftain. One of them is golf, manifestly a major source of fun in his life and a game at which he claims to have attained a certain expertise. More substantive chapters retell the story of GE's acquisition of RCA (rated a huge success) and Kidder Peabody (an acknowledged disaster), the rise of GE Capital (the company's exceedingly profitable in-house venture-capital operation), the so-called Six Sigma program (designed to eliminate virtually all product defects), and Welch's A-B-C conception of personnel development. (This divides a workforce into stars, destined for promotion; the indispensable 70 percent in the middle; and failures needing to be kicked out.) Near the memoir's end, there is a chapter on the succession to Welch himself, who retired last September. The process, which ended with the selection of Jeff Immelt, began with Welch debriefing each of the eleven major internal CEO's running GE businesses—yet another reminder of the breadth and scope of the operation he headed.

A GREAT success in conveying the range of problems confronted by a CEO, this memoir is less successful as a management manual. Like just about every boss yearning to explain how he did it, Welch feels obliged to deliver deep insights into human behavior—but, as almost always seems to happen in this genre, they are unpersuasive. In the book's opening sentences, he worshipfully recounts how his mother screamed at him and called him a "punk" when he behaved badly after his high-school team lost a hockey game. The story is meant to illuminate his own "leadership style" at General Electric. But not many pages later, we find him telling us: "When people make mistakes, the last thing they need is discipline. It's time for encouragement and confidence-building." The maxims scattered through the book can be safely ignored.

In some ways, *Jack: Straight From the Gut* is also not really straight from the gut. His efforts at GE, Welch tells us, were designed to create a meritocracy. This raises questions about where he stands on the racial preferences that have become ubiquitous in large corners of corporate life. But he has little to say on the subject, and what he does come up with is a near-parody of

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corporate boasting about "diversity" (e.g., "the number of diverse vice presidents was up to 25 percent").

Still, on balance and despite its manifold flaws, *Jack* has to be rated one of the best CEO memoirs, just as its (primary) author has to be rated one of the great CEO's. On the scorecard that matters most—the pitiless judgment of the stock market—Welch's record is astonishing. Shareholders in GE earned an average annual return of 23 percent during his years at the helm (versus 13 percent for the Dow Jones industrials). Those shareholders—and there are a great many of them—are no doubt helping to keep *Jack* on the best-seller lists.

Big Government

The Strange Death of American Liberalism
by H.W. Brands
Yale. 200 pp. $22.50

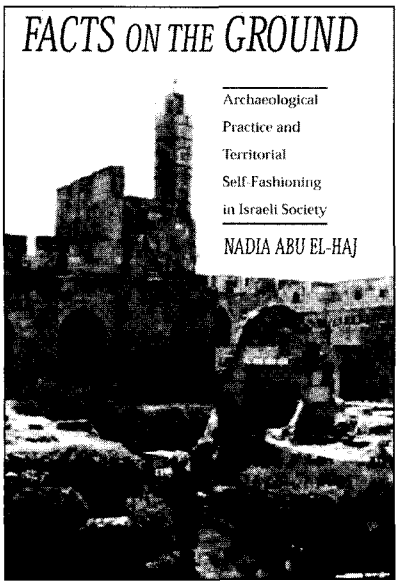
Reviewed by
Damon Linker

"Big Government is Back in Style"—or so declared a recent headline in the *New York Times*. Wishful thinking, to be sure, but might it be true? After all, since the attacks on the World Trade Center and Pentagon, the country has demanded and gotten aggressive federal action. From the passage of multi-billion-dollar aid packages in Congress to the assertion of sweeping prosecutorial powers by the Justice Department, a strong consensus has emerged in favor of expanding the scope of the state's responsibilities.

For H.W. Brands, all of this might have been predicted. As he argues in *The Strange Death of American Liberalism*—a book completed well before the events of September 11—faith in government has never come easily to Americans, with one key exception: wartime. According to Brands, a historian at Texas A&M and the author of well-received studies of Theodore Roosevelt and Benjamin Franklin, the rise of liberal, activist government in the U.S. over the last half-century can only be explained by the cold war, which "fostered a mindset that caused Americans to put aside their traditional distrust . . . and allow the public sector to grow at the expense of the private sphere." When the

Damon Linker *is the associate editor of* First Things.

Facts on the Ground
Archaeological Practice and Territorial Self-Fashioning in Israeli Society
Nadia Abu El-Haj



"*Facts on the Ground* is an innovative dissection of archaeological practice and nationalism in the most contested space of the entire Middle East. A sophisticated study that will inevitably be called 'polemical' by virtually every party to this polyhedral conflict and that will probably be willfully misunderstood by many, it is nonetheless characterized by meticulous scholarship and even-handedness. These do not occlude the author's unmistakably passionate commitment to the intellectual clarity and transparency that politicians often work hard to destroy. Abu El-Haj tells a crucially important story; let us hope that others will respond to her challenge with the wisdom she displays in this remarkable work."—Michael Herzfeld, Harvard University

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cold war ended, so too did our "confidence in the ability of government . . . to accomplish substantial good," and so too did the fortunes of American liberalism.

For Brands, whose own libertarian distaste for big government peeks through on occasion, this is no cause for regret. But today we are at war once again, and the American people have turned expectantly to Washington. If Brands is right, in the coming years we can look forward to an invigorated and newly ambitious American Left, eager to take advantage of the public's renewed confidence in government. But is Brands right?

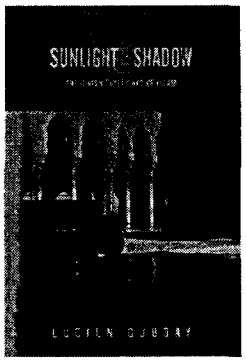
FOR PRESIDENTS Eisenhower and Kennedy, Brands shows, domestic policy of all sorts was often a response to imperatives that emerged from foreign affairs. If national defense required the mass production of thermonuclear weapons, so too did it demand an interstate highway system to ensure the country's economic vitality. If we needed to develop a space program to compete with the Soviet Union, then the federal government also had a role to play in promoting science education. If America was going to proclaim itself the leader of the free world, then of course its government had to uphold the civil rights of all citizens.

The tendency to justify domestic-policy initiatives in terms of national security reached its apex, Brands argues, under Lyndon Johnson, who pursued his cold-war agenda no less vigorously at home than overseas. Civil rights, voting rights, aid to education, national endowments for the arts and humanities, "model" cities, Medicaid, Head Start, the "war on poverty"—the breathtaking scope of the Great Society, Brands suggests, was inspired and made possible by Johnson's dramatic escalation of the war in Vietnam. For the President as for the country at large, confidence in the country's military capabilities translated into an ambitious domestic agenda. When the war finally spun out of control, however, the federal government was no longer able to justify its tremendous growth, or its grand designs.

Ever since then, Brand contends, American politicians have failed to see the connection between these two sides of big government. In the early 1970's, the supporters of George McGovern foolishly believed that they could maintain momentum on their liberal domestic agenda while repudiating the cold war. No less deluded from the other direction was Ronald Reagan, who tried to intensify the cold war while simultaneously denigrating big government. The American people may have tolerated increases in military spending under Reagan, but, in Brands's view, they would have resisted any attempt to return to the highly mobilized stance of the 1950's and 60's. Luckily for Reagan, the Soviet Union began to collapse before his bellicose rhetoric was put to the test.

George Bush, Sr. and Bill Clinton, our first post-cold-war Presidents, were left with little to do besides overseeing the slow destruction of the big-government edifice. Brands dwells in particular on Clinton's failed attempt early in his first term to establish a national health-care system. Rebuked in his one effort at a monumental expansion of the federal government's responsibilities, Clinton spent the rest of his presidency tinkering with minutiae. His successors, predicts Brands—and remember that he was writing before September 11—are likely to do the same now that America has reverted to its normal peace-time skepticism about government.

Only in the event of renewed international conflict, Brands concludes, would things be likely to take a different course. As he writes



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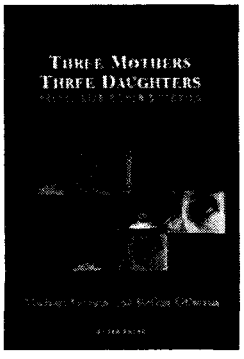

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in a brief appendix, speculating about America's future, "in the presence of a renewed security threat, the liberals will once again be called to power." Thus does a writer who intended to provide a postmortem for liberalism supply us with the tools to account for what some have seen as signs of its impending resurrection.

Brands's thesis is not entirely implausible. But it is, at best, a partial truth about America's political development in the 20th century, as anyone even passingly familiar with that history can recognize. Brands does not even attempt to deal with the standard accounts of the rise of modern liberalism, which typically—and convincingly—trace its origins to the Progressives and the New Deal. Nor does he do better with recent history. Is it true, as he asserts without substantiation, that the Reagan administration's hard-line foreign policy was hampered by its efforts to cut back government at home? More fundamentally, if big-government liberalism is largely a matter of government spending, as he suggests, in what sense is it now "dead," since the federal budget, under both Republicans and Democrats, has continued to grow year after year?

Indeed, as this last item suggests, the most problematic aspect of Brands's argument is his willfully simplistic understanding of liberalism itself, and thus also of its career in American political life. Liberalism is more than just a belief in "big government" or rising federal expenditures. At root it is the conviction that, given sufficient political support and financial resources, public-policy experts possess the know-how to diminish perennial social problems significantly, if not to eradicate them altogether. This is an old ideological disposition, and one that long predates the cold war.

America's foreign-policy successes in the postwar period may indeed have helped to bolster liberalism's exaggerated confidence in the manipulative powers of experts, but ventures abroad did not create this confidence. Nor have foreign-policy failures been the most powerful source of its demise. To the extent that liberal policies have been abandoned or rethought in recent decades, it is in large part because so many of them have been manifest failures.

Credit for this political shift also belongs to the conservative intellectuals who have demonstrated that many efforts at ameliorating social pathologies actually make things worse for the very people they are designed to help. That hubris has increasingly given way to humility at think tanks and among elected officials is a tribute to the power of this critique. It is these lessons about the

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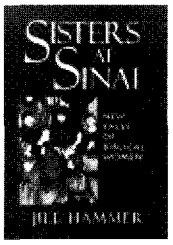

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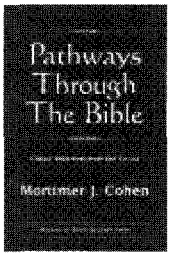

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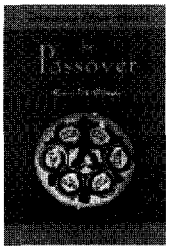

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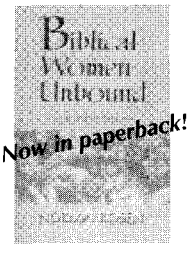

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limits of public policy that, despite the prognostications of H.W. Brands, are likely to keep our current wartime expenditures and initiatives from inspiring a resurgence of old-style, big-government liberalism.

Quota Plan

Coloring the News: How Crusading for Diversity Has Corrupted American Journalism

by William McGowan

Encounter. 278 pp. $25.95

Reviewed by
Vincent Carroll

IN 1997, in one of the more brutal recent incidents of interracial violence in this country, three white teenagers from rural Michigan ended up in the wrong neighborhood of Flint and were set upon by a gang of black youths. One of the boys was shot to death, and the girl in the group was raped. The story was picked up by the media, but did not achieve national prominence; a minor, one-day item, it quickly disappeared from those news outlets that had bothered to report it.

By contrast, in 1996, when it appeared that U.S. Army Special Forces might be painting swastikas on the doors of black soldiers in Fort Bragg, North Carolina, the incident filled headlines, received network television attention, and was amplified still more when President Clinton referred to it in his acceptance speech at the Democratic National Convention. The story faded away only when it was revealed that the culprit was a black soldier.

This disparity in press coverage has become so prevalent that many readers no doubt take it for granted. What they may not comprehend, however, is its source. William McGowan, a fellow at the Manhattan Institute and the author of a previous book on a different but not entirely unrelated subject—ethnic strife in Sri Lanka—set out to explore how the media have been dealing with the contentious issues surrounding race and "diversity." The result is *Coloring the News*, a book that examines the news-production process from employment practices, to the day-to-day tasks of reporting and editing stories about race, to the presentation of these stories to the general public.

THE DRIVE for "diversity" in public and private American institutions is hardly a fresh topic, but in the news business, as McGowan demonstrates, this drive has taken a particularly intensive form. In the area of hiring and firing, promotions and demotions, most if not all of the major outlets make regular use of explicit racial preferences to boost the percentage of minority journalists on their staffs. The Time-Warner chain of magazines, for example, an empire that includes not only *Time* but also *Fortune*, *Sports Illustrated*, *People*, *This Old House*, and dozens of other publications, has developed a system in which a portion of annual executive bonuses is explicitly linked to a manager's success in bringing in and elevating minority employees.

The *New York Times* has also been aggressive: in 1991, reports McGowan, Max Frankel, then the paper's editor, launched what he himself openly called his "own little quota plan," the terms of which were to accelerate minority recruitment "by hiring one nonwhite for every white hired." Frankel backed away from this scheme, settling on a subtler approach, only when it provoked an outcry.

From race-consciousness in employment it is but a small step to race-consciousness in the coverage of news. The Gannett corporation owns and operates the largest newspaper chain in the United States. In the early 1990's, McGowan writes, editors of Gannett papers like the *Des Moines Register* and the *Cincinnati Enquirer* found themselves under fierce pressure to meet diversity goals not only in employment and training but in assigning stories, with their own performance being evaluated by the amount and type of coverage devoted to minority issues.

These editors in turn required the reporters working beneath them to "integrate positive images of minorities into news coverage and photos." To this end, rigid numerical schemes were put in place. At one Gannett paper—the *Burlington Free Press* in Vermont—the editors mandated that one of every six faces in an ongoing photo feature be that of a minority. The newspaper's leading columnist was instructed to ensure that, in his superior's precise words, "at least one column in every four should be about a minority or address a diversity issue."

ONE OF the justifications for this heavy emphasis on diversity at major newspapers and television stations has been that it would help produce deeper and fairer reporting. But in chapters devoted to issues ranging from immigration to affirmative action to homosexuality, McGowan shows that this is not the case at all. On the contrary, the various internal quota schemes have been accompanied by an enforced conformity of views about race. As he writes, "unfashionable or disfavored voices are overlooked or muted," and a whole range of highly controversial issues either goes neglected or is discussed in tendentious and one-sided terms.

To take but one of McGowan's many examples, although there has been no shortage of feature articles detailing the many contributions Latino immigrants make to the economy, their personal struggles in a new land, and their vulnerability

VINCENT CARROLL, *a new contributor, is the editorial-page editor of the* Rocky Mountain News *in Denver.*

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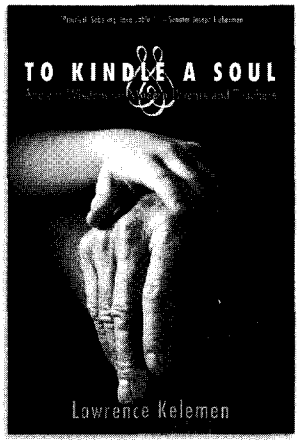
to exploitation and abuse, it is rare to find a journalist exploring the other side of the coin: the impact of Hispanic immigrants on the wage levels and employment prospects of unskilled American workers; the implications of high Hispanic illegitimacy and dropout rates on the broader society; or the links between immigration and crime.

This record of omission and distortion speaks very poorly for the nation's premier mainstream news organizations. "Instead of raising the tone of public discourse," McGowan writes, "the diversity ethos has dumbed it down, blunting the public faculties for reasoned argument." It has also created a class of journalistic malingerers, who have stood on the sidelines as others have come in with the news. Thus, at the University of Michigan, it was not a reporter at one of the state's many newspapers but Carl Cohen, a philosophy professor (and frequent Commentary contributor) who brought to light an admissions policy based on naked racial preferences. At Georgetown, it was not one of the thousands of professional journalists in the nation's capital but a student who broke a story about double standards in admissions at the university's law school. When it comes to race and ethnicity, the fearless investigative spirit of the newsroom has gone derelict.

McGowan's indictment of American journalism in *Coloring the News* is thorough, but is not always as level-headed as one might wish. At several junctures, he objects to the media not for its biases and misjudgments but for being, of all things, too neutral, as when he faults National Public Radio for having "steered clear of judgments" about arranged marriages among Americans of Indian descent. Elsewhere, he criticizes the press for failing to deride immigrant religious practices likeexorcism and animal sacrifice as "superstition."

More seriously, McGowan strays



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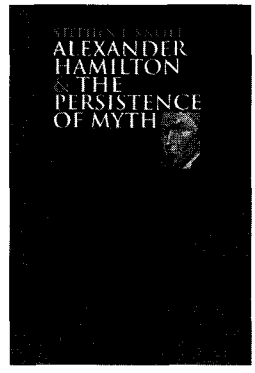
Alexander Hamilton and the Persistence of Myth

Stephen F. Knott



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into exaggeration in asserting that media bias is a major cause of declining newspaper readership and network news ratings. What primarily ails networks is increasing competition with cable stations and the Internet. As for newspaper readership, it has been in decline since World War II. This drop-off has accelerated in some markets in recent years, but it has been most dramatic among groups like young single women who have no special reason to be alienated by today's tendentious reporting. Indeed, the most reliable news consumers remain white, middle-aged males, precisely those whose opinions are most likely to conflict with mainstream media orthodoxy.

Still, *Coloring the News* assembles example after compelling example of bias and distortion, and this is itself an invaluable service. Although the book is somewhat long on anecdote and short on analysis, the sheer weight of its evidence leaves little doubt that in his central contention—that the "crusade for diversity has corrupted American journalism"—McGowan is dead on.

Privilege & Pressure

America's First Dynasty:
The Adamses, 1735-1918
by Richard Brookhiser
Free Press. 256 pp. $25.00

Reviewed by
Noemie Emery

AS AMERICANS nowadays know, democracies have their own form of royalty. George W. Bush is the son of another President Bush, who in his turn was the son of a Senator. The Bush now in the White House recently dedicated the headquarters of the Justice Department to Robert F. Kennedy, brother of the murdered President and son of ambassador Joseph P. Kennedy, in the presence of Senator Edward M. Kennedy, who in his first run for that office defeated George Lodge, son of Senator Henry Cabot Lodge, himself the son of a Senator who had been Theodore Roosevelt's friend. And it was Theodore's cousin Franklin, of course, who would become the first President to be elected four times.

The distinction of creating America's first royal line belongs to none of these famous families, however, but rather to John Adams, the founding father who injected the dynamic of succession into our republican structures of power. For Richard Brookhiser, whose most recent books have been celebratory portraits of George Washington and Alexander Hamilton, the fate of Adams and his best-known descendants reveals a darker side of our national story: the arc of a dynastic family, from the raw, energetic founder to the final exhausted and desiccated heir.

JOHN ADAMS (1735-1826) was a familiar type in American politics—the self-made man, a lawyer by training, who propels himself upward by sheer force of ambition and will. His first, best career was as a rebel and a rouser; an early advocate of American independence, he pleaded the necessity of revolution, nominated George Washington as commander of the Continental Army, and promoted the American cause abroad as ambassador to France, Britain, and Holland.

Far less successful was his performance in the offices that he occupied *after* the U.S. became a nation. As the first Vice President, he was overshadowed in Washington's cabinet by its dueling superstars, Thomas Jefferson and Alexander Hamilton. As President, he foundered, lacking the political talent to lead. Overwhelmed by fierce partisan battles and unable to muster support, he was easily beaten by his ex-friend, Jefferson, and returned home embittered after a single term—to live out his last years through his eldest son and namesake, John Quincy.

This Adams (1767-1848) was pressed relentlessly on the predestined path. His childhood was a long lesson in purpose and greatness. "John tutored his son [John Quincy] in Europe," Brookhiser tells us. "They read Plutarch aloud. . . . In Paris, he hobnobbed with Franklin, Lafayette, and 'Mr. Jefferson.'. . . In London, he heard Pitt and Fox debate." At fourteen, John Quincy went to London as the ambassador's translator. He was "so far beyond his years," his proud father said, that many "take him for my younger brother."

And on he dutifully went, through various embassies, to the cabinet of President Monroe, and to his own run for President. "The vote," Brookhiser writes, "would be a judgment on a public life and career that had begun . . . before he was born."

JOHN QUINCY could match his father in becoming President, but he could not surpass him by becoming a good one, and he too served only one term, losing to Andrew Jackson in 1828.

But rather than learn from his own family experience—or that of his two younger brothers, who responded to the stress by turning disastrously to alcohol—John Quincy chose to repeat it, raising three sons under the stern lash of duty. His two eldest burned out early, both of them becoming drunks like their uncles. Charles Francis (1807-86), the third son, who in reaction became dull, sober, and extremely responsible, felt the family trust as a terrible burden.

This son and grandson of Presi-

NOEMIE EMERY, *a frequent contributor to the* Weekly Standard, *is working on a book about the lives of political sons.*

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dents "did not like politics," Brookhiser informs us. Charles Francis hated conflict, and "when his father was losing . . . hoped that the family would finally stop being 'eternal subjects of contention and abuse.'" Yet he had arrived at a point in American history when a viable Adams was automatically considered a political candidate. Quiet, withdrawn, but harnessed to a sharply felt legacy, he served in the Massachusetts legislature, allowed himself to be nominated for Vice President in 1848 on the anti-slavery Free Soil ticket, and, ten years later, went to Congress as a Republican.

Following in the steps of his father and grandfather, Charles Francis accepted appointment as ambassador to the Court of St. James in 1861, charged with keeping Britain neutral in the Civil War. This task accomplished, and his debt finally paid to country and family, he retired to edit his ancestors' papers, choosing to preserve the past rather than to invent the future.

The first Adams in a century who did not himself want to be President, Charles Francis was also the first not to bring ruin to his sons. They were brought up without the relentless prodding and lectures, and so none became a disgrace: John Quincy II held minor offices to no special purpose; Charles Francis II became president—of the Union Pacific Railroad; Brooks became a social historian. But it was the most talented of them, Henry (1838-1918), the critic and historian, who most carried forward the family name—and symbolized its fin-de-siècle decline.

With Henry, the house of Adams reached the point at which the family's past no longer inspired, but rather tended to intimidate. To him, all effort seemed futile, all characters minor, all idols false. In his works of history, Brookhiser tells us, no figure "knows what he is doing, every judgment is wrong . . . every

How to shrink the welfare state before it goes bankrupt

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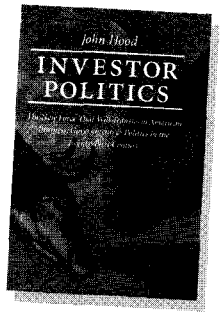

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leader betrays his principles." All of the Adamses who had not drunk themselves silly had seemed precocious and aged as young people, borne down by the weight of family history. Henry, in his fifties, already thought himself a decrepit old man.

In time, he withdrew into the study of the Middle Ages, a field into which his forebears had never ventured and thus had laid down no record of achievement. "The burden that had driven his forefathers to greatness and bitterness and their brothers to drink was lifted," Brookhiser writes. There no longer being a point to being an Adams, "the family business could, with good conscience, be wound up."

BUT WHAT was this business, and what was the point of it? As Brookhiser emphasizes, the Adamses wished to be judged by the standard of greatness, but somehow fell short. They were important but not indispensable, clever but never creative, high-minded but often mean-spirited. They were sore losers, and when they lost, which was often, they blamed everyone but themselves. They founded no parties, furthered no theories, and developed no great schools of thought.

The principal reason we remember the Adamses, as Brookhiser knows, is that they were a dynasty, and one that lasted for more than a century. As such, they became the gold standard for those who came after. Joseph P. Kennedy announced his intention to better John Adams. When George W. Bush became President, his father took to calling him "Quincy." But if the Adamses serve as a goal, they are also a warning. Indeed, the resemblance between the problems of the Adamses in 1800 and those of the Kennedys almost two centuries later reminds us that pressure and privilege, unwisely administered, can distort and destroy human lives.

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Who Rules In Science: An Opinionated Guide to the Wars

by James Robert Brown

Harvard. 256 pp. $26.00

Reviewed by
Kevin Shapiro

FEW TERMS, when uttered in academic circles, are so instantly polarizing as the phrase "social construction." Taken at face value, the notion is innocuous enough: some things that we come to know, like the rules of baseball and the letters of the alphabet, are not objective truths about the universe but products of social convention. The problem is that "constructivists," whose ranks now include many—if not most—scholars of the humanities, are not content to stop there. From their point of view, *all* knowledge is subjective and all facts are arbitrary; in baseball, for example, we "construct" not only what counts as a strike, but also the trajectory of a pitch and the physiology of a batter's swing.

For postmodern humanists, the constructivist enterprise is exciting and subversive, liberating them from the supposedly racist and sexist shackles of Western thought. For many scientists and philosophers, on the other hand, whose business it is to describe the world as it exists, the idea is confusing and absurd; in the words of the eminent biologist E.O. Wilson, it "menaces rational thought." And not only that. To the extent that postmodernists have come to dominate the study of literature and the arts, their way of thinking has had a corrosive effect on the academy, giving rise to intellectual balkanization and a general decline of standards.

The latter are familiar themes in the so-called "culture wars," along with debates over multiculturalism, moral relativism, and other left-wing social values that are often explicitly justified by appeals to postmodern thought. In these wars, the side of science and reason is usually identified with the political Right—not least because conservatives have been among the loudest and most prolific defenders of Enlightenment ideals.

Obscured in this larger conflict, however, is an equally intense intramural battle, sometimes called the "science wars," that has been taking place on and within the political Left. With the rise of postmodernism, leftists who were pro-science took a back seat, no doubt out of fear of being branded as partisans of "Western" thought in general. Increasingly, however, many are beginning to worry that the Left's social agenda, not to mention its credibility, has yoked itself to a highly dubious intellectual program. In 1995, when the physicist Alan Sokal published a piece of pseudoscientific gibberish in the journal *Social Text*—and then revealed his hoax, to the great embarrassment of postmodernists everywhere—his aim was not so much to defend science as to rescue the Left from idiotic thinking, which he saw as no way "to help the working class." Likewise, Noam Chomsky has worried that postmodern critics of science advocate "a path that leads directly to disaster for people who need help."

THE LATEST and perhaps most comprehensive attempt at rescuing the pro-science "hard" Left from the anti-science constructivist Left is James Robert Brown's *Who Rules In Science*. Like Sokal, Chomsky, Stephen Jay Gould, Richard Lewontin, and others, Brown believes that clear thinking is the Left's best weapon, and that good science is a powerful engine of social justice. Thus, constructivism, which undermines the authority of science and reason, is not only wrong-headed but also socially irresponsible.

KEVIN SHAPIRO *is a researcher in neuroscience at Harvard.*

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The subtitle of Brown's book promises "An Opinionated Guide," and on that it delivers. Brown makes no pretense of addressing readers who are not on the Left, and at some points even strains to prove his progressive credentials by ridiculing conservatives in an embarrassingly simple-minded way. According to Brown, for example, because the median income in high-tax Canada is higher than the median income in the United States, it follows that high taxation is beneficial; and because Canada spends a smaller percentage of its GDP than the United States on health care, it follows that socialized medicine is desirable. In neither case does he stop to take into account the vast differences between the two societies. Brown is surely entitled to his opinions on these matters, but readers who are not similarly opinionated may be excused if they fail to take him seriously.

Which is a shame, since Brown's argument against constructivism is a good one, as far as it goes. It is also careful and nuanced, if a little repetitive. He begins with a brief tutorial in the modern philosophy of science, from the Viennese positivists to Karl Popper, Thomas Kuhn, and more recent schools of thought; these philosophers, he shows, while mostly fans of science, paved the way for constructivism by adopting a critical approach to the study of how science is done. He then divides social constructivism into two camps: the "nihilist" wing, which includes postmodernists, cultural critics, and other unabashed foes of science, and the ostensibly pro-science "naturalist" wing.

For most critics, the nihilists have been an easy target. Much of the postmodern critique of science is based on frank misunderstandings of the relevant scientific literature, and some of it is merely unintelligible. Jacques Derrida, for example, has opined that the Einstein constant "is not the concept of a some*thing*—of a center starting from which an observer could mas-

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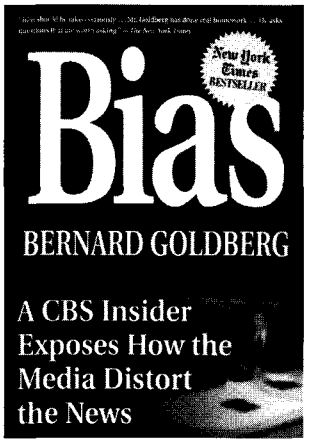

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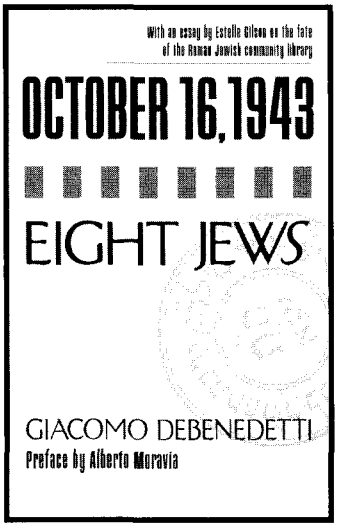
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ter the field—but the very concept of the game." This is the sort of bizarre statement that made it easy for Sokal to fool the editors of *Social Text* with an essay on "the transformative hermeneutics of quantum gravity." Although Brown defends the nihilists (somewhat halfheartedly) against charges of obscurantism, he convincingly takes them to task for mischaracterizing the scientific enterprise.

Brown is more sympathetic to the naturalists, whose goal—in essence—is to study science scientifically. That is, naturalist constructivists try to understand the *reasons* that scientific theories are formulated and rejected. But rather than looking for rational explanations (e.g., quantum mechanics gained acceptance because it successfully explained a wide range of previously perplexing physical phenomena), they look for subjective social ones (e.g., quantum mechanics was adopted because it fit better with the mystical and anti-mechanistic *Zeitgeist* following World War I).

Such reasoning, while superficially friendly to science, in fact undermines it by denying its authority. It is also self-contradictory: if science itself is subjective, by what criterion can its subjectivity be judged objectively true? Yet without this assumption of objective truth, constructivism becomes an almost pointless exercise. Brown makes this argument well—although perhaps not as well as it was made by F. A. Hayek in *The Counter-Revolution of Science* (1952), a brilliant collection of essays that Brown unaccountably ignores. On Hayek's analysis, naturalist constructivism is not so much scientific as "scientistic": it "is not an unprejudiced but a very prejudiced approach which, before it has considered its subject, claims to know what is the most appropriate way of investigating it."

WHAT IS not clear is whether the kind of science that Brown ultimately advocates is really much better. Even as he defends the scientific method from charges of social construction, Brown would have the aims of science bend to social pressures. Indeed, not only does he see science primarily as a means of helping the poor and bettering human society, but he would reject any kind of research not amenable to that goal as pseudoscience—a category that apparently includes such "socially pernicious" fields as sociobiology, psychometrics, and much of neoclassical economics. It is somewhat ironic that even as Brown carefully defends postmodernists against what he feels are unjustified attacks, he uncritically accepts (for example) Stephen Jay Gould's sometimes viciously ad-hominem critique of IQ research.

In the end, Brown's vision is not so much pro-science as it is technocratic. For him, the value of science lies less in the joy of understanding than in the degree to which it brings us closer to an egalitarian ideal. Brown even devotes a chapter to "The Democratization of Science," in which he suggests—among other things—that research should be carried out by a more "democratically selected" (i.e., racially diverse) group of researchers, that scientists should be made to disclose their "social situation (especially economic)," and that the benefits of research should be shared "more equitably" (for instance, by weakening rights to intellectual property).

One almost wonders whether postmodernism is not preferable to this kind of politicization of research, with all the censorship and abuse of reason that it would entail. Brown is right that social constructivism is neither logically coherent nor, in the end, socially useful, but (as he himself too generously notes) it is usually not harmful to the pursuit of knowledge, and is "at worst merely ridiculous." The same can definitely not be said of his own program—which is all the more reason to pay close attention to the future course of the science wars.

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Education Policy and Information

E. D. Hirsch Jr. is a professor of education and humanities emeritus, University of Virginia; distinguished visiting fellow, Hoover Institution; and member, Hoover's Koret Task Force on K–12 Education.

Economists say that the unequal distribution of information compromises market efficiency. Advocates of free-market school reforms such as charter schools and voucher programs should heed this important truth, as should school boards and state legislators. Without a free flow of reliable information, parents and policymakers cannot make intelligent decisions. Unfortunately, **reliable information is a scarce resource in the education world.**

Educational data exist in oversupply, but there's a critical difference between data and information. Data do not speak for themselves; they must be interpreted by teasing out the separate factors that affect educational outcomes and assigning relative causality to them. Useful analyses, dependable generalizations, and accurate interpretations of educational data are in short supply.

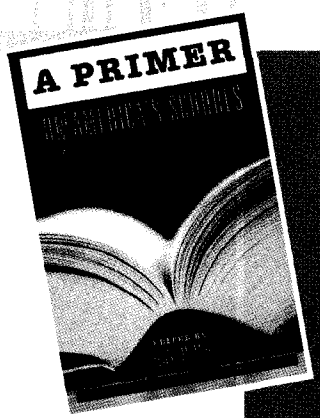
To those who must make decisions, it is disconcerting that so much educational data have produced so little usable information. The November 7 issue of *Education Week* reports that data on the multimillion-dollar "whole school" reform effort are inconclusive. Similarly, the November issue of *Scientific American* reports that data on the effects of class-size reduction are also inconclusive. We cannot draw dependable policy implications from these studies because the data remain ungeneralized and, in a fundamental sense, uninterpreted.

The best recent attempt to generalize educational data was offered by the late Jeanne Chall in her slender last book, *The Academic Achievement Challenge*—the fruit of a lifetime of engagement with educational research. Yet Chall's book has had a negligible effect on charter schools or state policies because its information has not been disseminated. Some thoughtful philanthropist should send thousands of copies of Chall's book to those in a position to affect policy.

One of the greatest gains in our understanding of scientific method came with the insight that data take on new meanings with new interpretations and that the best interpretations take into account relevant knowledge from the widest possible range of domains. **We need to transform the ocean of educational data into usable information on the basis of the most wide-ranging and exacting analyses.** In a field beset with ideology and politics, it is not surprising that good science is in short supply. But regardless of one's faith in markets or, alternatively, in state regulation, we still need reliable information, which means that we need really good science, not the impostor that now calls itself "research" in the field of education. Without better information we are unlikely to achieve much improvement in the quality and equity of our schools.

— E. D. Hirsch Jr.

Paid for by the Hoover Institution, Stanford University.



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